

**GOVERNMENT OF ODISHA
FINANCE DEPARTMENT**

NOTIFICATION

No. PT1-FIN-CS3-RULE-0003-2022/13279 /F;

Date: the 2nd May, 2023

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Odisha is pleased to make the following rules, further to amend the General Provident Fund (Odisha) Rules, 1938, namely:-

1. (1) These rules may be called the General Provident Fund (Odisha) Amendment Rules, 2023.
- (2) They shall come into force on the date of their publication in the Odisha Gazette.
2. In the General Provident Fund (Odisha) Rules, 1938, (hereinafter referred to as the said rules), in clause (c) of sub-rule (1) of rule 2,-
 - (a) for sub-clause (i) excluding the proviso there to, the following sub-clause shall be substituted namely:-

“(i) in the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent :”.
 - (b) for sub-clause (ii) excluding the proviso there to, the following sub-clause shall be substituted namely:-

“(ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:”.
3. In the said rules, in rule 14,-
 - (I) in sub-rule (2), after the proviso, the following proviso shall be inserted, namely:-

“Provided further that if some residual amount is held up due to certain reasons, compliance shall be made by the Drawing and Disbursing Officer or Head of Office within three months from the date of retirement and interest shall be allowed up to maximum six months from the date of retirement.”
 - (II) for sub-rule (4), the following sub-rule shall be substituted, namely:-

“(4) in addition to any amount to be paid under rules 29, 30 or 31, and the interest thereon up to the end of the month preceding that in which the payment made or up to the end of the sixth month after the month in which such amount, became payable whichever of these periods be less shall be payable to the person to whom such amount is to be paid:

Provided that where the Accounts Officer has intimated to that person (or his agent) a date on which he is prepared to make payment in cash, or has posted a cheque in payment to that person, interest shall be payable only up to the end of the month preceding the date so intimated or the date of posting the cheque, as the case may be :

Provided further that where a subscriber is on deputation to a body corporate, which is owned or controlled by the Government or an autonomous organization

registered under the Societies Registration Act. 1860 (21 of 1860) is subsequently absorbed in such body corporate or organization with effect from retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber the date of issue of the orders regarding absorption shall be deemed to be the credit of the subscriber becomes payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be subscription to the Fund only for the purpose of awarding interest under the sub-rule.

Note:- As no interest is admissible on the accumulations in the Fund beyond a period of six months from the date the same became payable, the Accounts Officer, the Drawing and Disbursing Officer and the Treasury Officer shall ensure final payment within that period.

4. In the said rules, in rule 29, after the proviso, the following explanation and note shall be added, namely:-

“Explanation :- A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, with or without a break in service, shall not be deemed to quit the service, when he is transferred without any break in service to a new post under the Central or any other State Government or in other Department of the State Government (in which another set of Provident Fund Rules is governed) and without retaining any connection with his former post. In such cases, his subscriptions together with interest thereon shall be transferred –

(a) to his account in the other Fund in accordance with the rules of that Fund, if the new post is in another Department of the State Government, or

(b) to a new account under the State Government concerned, if the new post is under a State Government and the State Government consents, by general or special order to such transfer of his subscriptions and interest.

Note:- Transfer shall include cases of resignation from service in order to take up appointment in another Department under Central Government or the State Government without any break and with proper permission of the Central Government or other State Government. In cases where there has break in service, it shall be limited to the joining time allowed on transfer to a different Department or station as the case may be”.

5. In the said rules, for rule 30, the following rule shall be substituted, namely:-

“(30) When a subscriber -

(a) has proceeded on leave preparatory to retirement, or, if he is employed in a vacation Department, on leave preparatory to retirement combined with vacation ; or

(b) While on leave, has been permitted to retire or been declared by a competent authority to be unfit for further service, the amount standing to his credit in the Fund shall, upon initiation of withdrawal process by the Head of Office on behalf of the subscriber, become payable to the subscriber.

Provided that the subscriber, if he returns to duty, shall, except where the Government decides otherwise, repay to the Fund for credit to his account, the amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in rule 14 in cash or partly in cash, by instalments or otherwise, by recovery

from his emoluments or otherwise, as may be directed by one of the Authorities competent to grant an advance under rule 15.

Note (1) : When vacation precedes the leave preparatory to retirement, the amount standing at the credit of a subscriber shall, upon application made to Accounts Officer, become payable at any time between the commencement of such vacation and the date of actual retirement.

Note (2) : That final withdrawal by a subscriber is also permissible while in services for the purpose of house building, marriage and higher education of his children as detailed in Appendix F”.

6. In the said rule, in rule 32, –

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“(1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Officer to make payment as provided in sub-rule (3) of rule 32” ;

(ii) in sub-rule (3),-

a. Clause (i) shall be omitted; and

b. for clause (ii), the following clause shall be substituted, namely :-

“(ii) The Head of office or the Department shall initiate and forward the details of the subscriber retiring or quitting the service to the Accountant General (A&E) or Controller of Accounts at least 3 months before the date of superannuation or after quitting service or one month in other cases, as the case may be, indicating the recoveries effected against the advances which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber’s account :

Provided that application shall be sent within three months from the date of death or voluntary retirement or compulsory retirement or dismissal from service”.

By order of the Governor

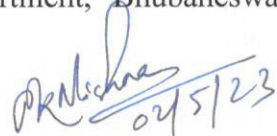


Principal Secretary to Government

Memo No. 13280 /F.,

Date: 02.05.2023

Copy forwarded to All Departments of Government/All Heads of Departments / All Collectors / All District and Sessions Judges / Deputy Accountant General, Odisha, Puri / Secretary to Governor / Principal Secretary to Chief Minister/ Secretary to Odisha Legislative Assembly / Principal, Secretariat Training Institute, Bhubaneswar / Director General, Gopabandhu Academy of Administration, Bhubaneswar / Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar / Manager, Reserve Bank of India, Public Accounts Department, Bhubaneswar for information.



Joint Secretary to Government

Memo No. 13281 /F.,Date: 02.05.2023

Copy forwarded to the Principal Accountant General (A&E), Odisha, Bhubaneswar for information and immediate necessary action.

PR Mishra
02/5/23

Joint Secretary to Government

Memo No. 13282 /F.,Date: 02.05.2023

Copy forwarded to All Treasury Officers of District Treasuries and Special Treasuries / Sub-Treasuries for information and immediate necessary action.

PR Mishra
02/5/23

Joint Secretary to Government

Memo No. 13283 /F.,Date: 02-05-2023

Copy forwarded to the Regional Manager, Central Bank of India, 94, Janpath, Unit-III, Bhubaneswar Zonal Office, Andhra Bank, Zonal Office, M-14, Baramunda, Bhubaneswar / Zonal Manager, Bank of India, Bhubaneswar Zone, STAR HOUSE, 1/ID, Jayadev Vihar, Nayapalli, Bhubaneswar Regional Manager, Union Bank of India, regional Office, 3/1A, Civic Centre, IRC Village, Nayapalli, Bhubaneswar/ Regional Manager, Allahabad Bank, Zonal Office, 3/IB/ Civic Centre, IRC Village, Nayapalli, Bhubaneswar/ Indian Overseas Bank, Regional Office, B/2, West Saheednagar, BBSR - 751007, Bhubaneswar /Circle Office, Indian Bank, B/2 Saheednagar (East), Bhubaneswar/ Regional Manager, regional Office, United Bank of India, 88-A, Kalpana Area, Bhubaneswar/ Zonal Manager, UCO Bank, UCO Bank Building, C-2 Ashok Nagar, Bhubaneswar / Circle Office, Punjab National Bank, 4th Floor, Deendayal Bhawan, Ashok Nagar, Janapath, Bhubaneswar/ Circle Office, Canara Bank, Circle Office, 1st Floor, Red Cross Bhavan, Sachivalaya Marg, Unix-IX, Bhubaneswar / Local Head Office, State Bank of India, III/1, Pt. Jawaharlal Nehru Marg, Bhubaneswar / Regional Manager, Bank of Baroda, Plot No- 171, Bhouma Nagar, Unit-IV, Bhubaneswar for information and immediate necessary action.

PR Mishra
02/5/23

Joint Secretary to Government

Memo No. 13284 /F.,Date: 02.05.2023

Copy forwarded to Accountant General (A&E) of State Governments /Union Territories in India (as listed below). Andhra Pradesh, Hyderabad / Bihar, Patna / Madhya Pradesh, Gawalior (2copies) / Maharashtra, Mumbai (2 copies) / Maharashtra, Nagpur-440001 / Uttar Pradesh, Allahabad (2 copies) / West Bengal, Kolkata (2 copies) / Gujarat, Ahamedabad / Tamilnadu, Chennai / Karnataka, Bangalore / Rajasthan, Jeypur / Assam, Guwahati / Kerala, Thiruananthapuram / Punjab, Chandigarh / Haryana, Chandigarh / Himachal Pradesh, Simla / Jammu & Kashmir, Srinagar/ Arunachal

Pradesh, Itanagar / Manipur, Imphal / Tripura, Agartala / Meghalaya, Shillong / Nagaland, Kohima / Jharkhand, Ranchi / Chattishgarh, Raipur / Uttaranchal, Dehradun / Pay and Accounts Officers, Tis Hazari, Delhi / Controller of Accounts, Delhi for information and immediate necessary action. He is requested to circulate this Resolution among the pension paying public sector banks functioning within the jurisdiction of the concerned State for prompt payment to the Odisha State Pensioners.

PK Mishra
02/5/23

Joint Secretary to Government

Memo No. 13285 /F.,

Date: 02.05.2023

Copy forwarded to the Deputy Secretary to Government of India, Ministry of Personnel, P.G. and Pension, Department of Pension and Pensioners Welfare, New Delhi / Deputy Chief Accountant, Reserve Bank of India, Department of Government and Bank Accounts, Central Office, 4th Floor, Byculla Office Building, Opposite Mumbai Central Station Byculla, Mumbai 400008 for information and necessary action.

PK Mishra
02/5/23

Joint Secretary to Government

Memo No. 13286 /F.,

Date: 02.05.2023

Copy forwarded to the Secretaries to Finance Department in all State Government / Union Territories in India with a request to circulate this Office Memorandum among the Pension Disbursing Authorities functioning within the jurisdiction of the concerned State for prompt payment to the Odisha State Pensioners.

PK Mishra
02/5/23

Joint Secretary to Government

Memo No. 13287 /F.,

Date: 02.05.2023

Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack with a request to publish the order in the Odisha Gazette and supply 50 copies to the Finance Department.

PK Mishra
02/5/23

Joint Secretary to Government

Memo No. 13288 /F.,

Date: 02.05.2023

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.

PK Mishra
02/5/23

Joint Secretary to Government

Memo No. 13289 /F.,Date: 02.05.2023

Copy forwarded to the Head of Portal Group, I.T. Centre, Secretariat, Odisha for information and necessary action.

He/ She is requested to launch this Notification regarding amendment of the OCS (Pension) Rules, 1992 in the Website (www.Odisha.gov.nic.in/finance/index.htm) of Finance Department for General Information.

PR Mishra
02/5/23

Joint Secretary to Government