

GOVERNMENT OF ODISHA
FINANCE DEPARTMENT

No. FIN-PEN-0004/2015 936 /F.,

Dated: 14/11/2015

From:

Sri S.K.Mohanty,
Deputy Secretary to Government.

To

The Deputy Accountant General, Funds,
Office of the Principal A.G(A&E), Odisha, Bhubaneswar.

Sub:

Clarification on applicability of New Restructured Defined Contribution Pension Scheme in respect of employees appointed on adhoc basis prior to 01.01.2005 and subsequently placed under regular establishment and in other cases.

Sir,

With reference to your letter No.Fd12/Allotment/598, dt:09.07.2014 on the subject cited above, I am directed to say that Finance Department in Circular No.30439/F, dt:18.07.2007 have clarified that job contract and work charged employees engaged prior to 01.01.2005 and regularised after that date shall be covered under the OCS(Pension) Rules, 1992 and the GPF(Orissa)Rules,1938.

Such provision is not applicable in case of an employee who has been appointed on adhoc basis prior to 01.01.2005 and placed under regular establishment after that date. If any Department/Sub-ordinate Office have forwarded the application of such employee for opening of GPF Account of an employee appointed after 01.01.2005 it should not be allowed without prior concurrence of Finance Department.

2. Introduction of New Restructured Defined Contribution Pension Scheme for the State Government employees with effect from 01.01.2005 is a policy decision of Government of Odisha in tune with the principles adopted by the central Government which is applicable for Central Government employees with effect from 01.01.2004. The decision of Hon'ble Orissa High Court in W.P.(C) No.15433/12 and other similar cases, the State Government have already challenged the decision before the Hon'ble Apex Court. A copy of the SLP along with order of stay operation is enclosed herewith for your reference.

Yours faithfully,

Memo No. 937 /F.,

Dated: 14/11/2015

B-1.15
Deputy Secretary to Government

Copy to all Secretaries/ R.D.Cs/Heads of Departments/Collectors for necessary follow-up action with a request to bring it immediately to the knowledge of Offices under their administrative control.

B-1.15
Deputy Secretary to Government

AKP