

GOVT OF ASSAM
EDUCATION (SECONDARY) DEPARTMENT

NO. B(3)S.227/93/Pt/391,

Dated Dispur, the 12th June, 1997.

OFFICE MEMORANDUM

Sub : Regularisation of the period of overstay in service beyond 58 years of age in respect of Teachers and other employees of provincialised High School/Higher Secondary School/High Madrassa/ Higher Secondary Madrassa by way of re-employment and granting of pensionary benefit.

Pursuant to the Hon'ble Supreme Court order dated 30-4-96 in Civil Appeal No.8854 of 1996 (arising out of SLP (c) No.18808 of 1995) between Assam Madhyamik Sikshak Aru Karmachari Santha, Nagaon-Vs-the State of Assam and others, it has been decided to regularize the period of overstay in service beyond 58 years of age upto the age of 60 years in respect of the employees/teachers of High Schools/Higher Secondary Schools/High Madrassa and Higher Secondary Madrassa the services of whom are covered under the provision of Section 4 (2) of Assam Secondary Education (Provincialisation) Act, 1977.

Accordingly it has been decided that the employees of provincialised High Schools/Higher Secondary Schools, High and Higher Secondary Madrassas who continued as teacher/employee on the date of receiving granting-aid and who retired from service beyond 58 years of age upto 60 years of age will be deemed to have retired on superannuation from the due date of superannuation and the period of overstay beyond this date will be treated as period of re-employment and pensionary benefit will be to those employees accordingly. During the period of such re-employment, the remunerations of such employees will be as under :-

“ Last pay and allowances as on the due date of superannuation with non-drawal of the monthly pension/pensionary benefit “.

In case of those of the said employees/teachers who have already drawn their C.P.F. amount in full (i.e. the total C.P.F. which includes their own contribution and the employer's contribution with interest accrued on both upto the date of drawal), the amount corresponding to the employer's contribution with interest accrued thereon upto the date of withdrawal will be recovered in full. If it can be fully recovered from the D.C.R.G. amount it will be done accordingly. In case, the D.C.R.G. amount does not ****surface** for such adjustment, the amount of D.C.R.G. shall be fully adjusted towards the recovery to that extent and the balance amount will be recovered from the monthly Dearnes Relief amount in regular installments to the full ********* of the monthly Dearness Relief till the full liquidation of the balance amount.

Sd/- Dr. B.K. Gohain
Secretary to the Govt. of Assam,
Education Department

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Memo No.B(3)S. 227/93/Pt/391-A,

Dated Dispur, the 12th June, 1997.

Copy to :-

1. The Registrar, Supreme Court of India with reference to Hon'ble Supreme Court's judgment dated 30-4-96 Civil appeal No. 8854 of 1996.
2. The Director of Secondary Education, Assam, Kahilipara, Guwahati-19.
3. All Inspector of School.
4. The Accountant General, Assam, Guwahati-28.
5. The Under Secretary to the Govt. of Assam, Personnel (A) Deptt., Dispur.
6. The Under Secretary to the Govt. of Assam, Judicial Deptt., Dispur (L.R's Branch).
7. The Under Secretary to the Govt. of Assam, Pension and Public Grievances Department, Dispur,
8. The Under Secretary to the Govt. of Assam, Finance (Estt, D) Deptt., Dispur.
9. The President, Assam Madhyamik Sikshak Aru Karmachari Santha, Nagaon.

By order etc.,
Under Secy. to the Govt. of Assam
Education Department