

# The Orissa Gazette



**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

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**No. 1147 CUTTACK, MONDAY, MAY 16, 2011 / BAISAKHA 26, 1933**

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No. 8276—I.SME-A-9/2011-SME.

GOVERNMENT OF ORISSA

**SCHOOL & MASS EDUCATION DEPARTMENT**

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RESOLUTION  
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The 30th April 2011

SUBJECT— Compliance of the orders of the Hon'ble High Court Dt. 12-10-2009 in W.P. (C) No. 10075/2006 filed by Phillip Kiro, Retired Head Master, Upper Primary School and W.P.(C) No. 9523/2006 filed by John Kujur, Retired Assistant Teacher, Upper Primary School both managed by Catholic Board of Education, Sundargarh and similar nature of cases related to Mission Managed Fully Aided Private Primary Schools.

That the Hon'ble High Court in order Dt. 12-10-2009 in W.P.(C) 10075 of 2006 and W.P.(C) No. 9523 of 2006 have held that the petitioners having retired after 1st April 1982 are governed under the Orissa Aided Educational Institutions Employees' Retirement Benefit Rules, 1981 (in short, 1981 Rules) and are entitled to receive all retirement pensionary benefits to which their counterparts in other educational institutions retiring on or after 1st April 1982 are getting. A number of similar cases have also been disposed of by the Hon'ble High Court in the same manner.

After careful examination of the orders of the Hon'ble High Court, Government in School & Mass Education Department in consultation with Law and Finance Department have decided to implement the orders of the High Court Dt. 12-10-2009 in W.P.(C) No. 10075/2006 filed by Phillip Kiro, W.P.(C) No. 9523/2006 filed by John Kujur and in case of other similar retired employees who are otherwise eligible to avail pensionary benefits.

The Director, Elementary Education/All D.I. of Schools/Controller of Accounts, Orissa are hereby authorized to ensure timely implementation of the orders of the Hon'ble High Court in the aforesaid cases.

This has been concurred in by Law Department vide UOR No. 1548-L., Dt. 7-9-2010 and Finance Department vide UOR No. 28 CS III, Dt. 5-2-2011.

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ORDER—Ordered that the Resolution be published in an extraordinary issue of the *Orissa Gazette*.

By order of the Governor  
A. SARANGI

Commissioner-cum-Secretary to Government