



GOVERNMENT OF KERALA

FINANCE DEPARTMENT

THE KERALA SERVICE RULES

VOLUME II

PART III

FIFTH EDITION 2006

Incorporating corrections up to 31st January, 2006

PREFACE TO THE FIFTH EDITION

Nearly 17 years have elapsed since the issue of the fourth edition of the Kerala Service Rules (Part III) Volume II. All amendments and modifications upto 31st January 2006 have been incorporated in this edition.

This volume will be available for sale on CD ROM also from the Finance Department.

Any error, omission or difficulty in the interpretation and/or application of the rules may be brought to the notice of the Principal Secretary to Government, Finance Department, Government of Kerala.

K. JOSE CYRIAC
Principal Secretary (Finance)

Thiruvananthapuram,
30-5-2006.

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{G.O.(P) 71/77/fin., dated 24th February 1977}

THE KERALA SERVICE RULES

PART III

PENSION

CHAPTER I

SECTION I – General Rules

- 1 (a) The pensions of all employees to whom these Service Rules apply are regulated by the rules in this Part:

Provided that it is open to Government to rule that the service of any class of employees serving under them does not qualify for pension
- (b) These rules shall be deemed to have come into force with effect from 14th November 1966 unless otherwise specified in the relevant rules.
- 2 (a) *Future good conduct shall be an implied condition of every grant of a pension.-* The Government may, by order in writing, withhold or withdraw a pension or part thereof whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct.
- (b) Where a pensioner is convicted of a serious crime by a court of law action under clause (a) shall be taken in the light of the judgment of the court relating to such conviction.
- (c) In a case not falling under clause (b) if the Government under clause (a) considers that the pensioner is *prima facie* guilty of grave misconduct, it shall, before passing an order under clause (a)
 - (i) serve upon the pensioner a notice specifying the action proposed to be taken

against him and the ground on which it is proposed to be taken and calling upon him to submit within fifteen days of the notice or such further time not exceeding fifteen days as may be allowed, his explanation for such misconduct.

- (ii) take the explanation, if any, submitted by the pensioner under sub clause (i) into consideration.
- (d) The Public Service Commission shall be consulted before final orders are passed.

Explanation:- In this rule, the expression “serious crime” includes a crime involving an offence under the Official Secrets Act, 1923 (19 of 1923) and the expression “grave misconduct” includes the communication or disclosure of any secret official code or password or any sketch, plan, model, rule note, document or information, such as is mentioned in section 5 of the said Act (which was obtained while holding office under the Government) so as to prejudicially affect the interest of the general public or the security of the State.

- 3 The Government reserve to themselves the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period, and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to government if in a departmental or judicial proceeding, the pensioner is found guilty of grave misconduct or negligence during the period of his service, including service rendered upon re-employment after retirement:

Provided that –

- (a) such departmental proceeding, if instituted while the employee was in service, whether before his retirement or during his re-employment, shall after the final retirement of the employee, be deemed to be a proceeding under this rule and

shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service;

(b) such departmental proceeding, if not instituted while the employee was in service, whether before his retirement or during his re-employment,-

- (i) shall not be instituted save with the sanction of the Government;
- (ii) shall not be in respect of any event which took place more than four years before such institution; and
- (iii) shall be conducted by such authority and in such place as the Government may direct and in accordance with the procedure applicable to departmental proceeding in which an order of dismissal from service could be made in relation to the employee during his service;

** (c) no such judicial proceedings, if not instituted while the employee was in service whether before his retirement or during his re-employment, shall be instituted, save with the sanction of the Government, in respect of a cause of action which arose or an event which took place more than four years before such institution and;

**G.O(P)
No.362/90/Fin.
Dated 25-6-1990.
(Takes effect from 14th
November 1966)

(d) The public Service Commission shall be consulted before final orders are passed.

Explanation: - For the purpose of this rule –

(a) a departmental proceeding shall be deemed to be instituted on the date on which the statement of charges is issued to the employee or pensioner or if the employees has been placed under suspension from an earlier date, on such date; and

- (b) a judicial proceeding shall be deemed to be instituted-
- (i) in the case of a criminal proceeding, on the date on which the complaint or report of police officer on which the Magistrate takes cognizance, is made, and
 - (ii) in the case of a civil proceeding, on the date of presentation of the plaint in the Court.

Note1.- As soon as proceedings of the nature referred to in this rule are instituted the authority which institutes such proceedings should without delay intimate the fact to the Audit Officer. The amount of pension withheld under this rule should not ordinarily exceed one-third of the pension originally sanctioned. In fixing the amount of pension to be so withheld regard should be had to the consideration whether the amount of the pension left to the pensioner in any case would be adequate for his maintenance.

Note2.- The word 'pension' used in this rule does not include death-cum-retirement-gratuity. Liabilities fixed against an employee or **pensioner can be recovered from the death-cum-retirement-gratuity payable to him without the departmental / judicial proceedings referred to in this rule, but after giving the employee or **pensioner concerned a reasonable opportunity to explain.

*Note-3 The liabilities of an employee should be quantified either before or after retirement and intimated to him before retirement within a period of three years on becoming pensioner. The liabilities of pensioner should be quantified and intimated to him.

*Insertion
G.O(P)274/86/Fin.
Dated 31-3-1986.

RULING No. 1

Amounts due from a Government employee or **pensioner to Government Companies, Local Bodies, Co-operative Societies, etc., though not treated as Government dues may be recovered from the death-cum-

**G.O.(P)
No.275/86/Fin.
Dated. 31-3-1986.

retirement gratuity payable to him with his consent in writing.

@ RULING No. 2

According to proviso (a) under this rule, departmental proceedings, if instituted while the employee was in service, whether before his retirement or during his re-employment, shall after the final retirement of the employee be deemed to be a proceeding under this rule and shall be continued and concluded by the authority by which it was commenced in the same manner as if the employee had continued in service. A doubt was raised as to whether in the case of an employee whose case falls within the purview of the proviso and proceedings against whom were instituted by an authority subordinate to Government, order for withdrawal/ withholding of pension can be passed by the subordinate authority on the conclusion of the proceedings. The function of the Disciplinary Authority is only to reach a finding on the charge and to submit a report recording its findings to the Government. Government will then consider the findings and take a final decision. In case Government decide to take further action under Rule 3 the Government will serve the person concerned with a show-cause notice specifying the action proposed to be taken under this rule and the person concerned will be required to submit his reply to the show-cause notice within such time as may be specified by the Government. The Government will consider the reply in consultation with the Public Service commission and pass necessary orders in the name of the Governor.

@ [G.O.(P) 523/67/Fin.,
dated, 5th December
1967.]

The above procedure in regard to the issue of show-cause notice will also apply to a case where the Governor functions as the Disciplinary Authority.

*RULING No.3

The note 2 above does not mean that the employee's or **pensioner's consent should be obtained for recovering the liabilities from the death-cum-retirement gratuity payable to him. What it contemplated is only a

*[G.O.(P)45/68/Fin.,
dated 27th January 1968]
** [G.O.(P)No.275/86/
Fin. dt. 31-3-86]

communication of such liabilities to him so as to enable him to submit his explanation before the recovery is effected. It should be specifically stated in the communication that if no reply is received within 30 days of its issue, it will be presumed that the employee or **pensioner has no explanation to offer and that further action will be taken on that basis.

- 3-A. (a) Where any departmental or judicial proceedings is instituted under Rule 3 or where a departmental proceeding is continued under clause (a) of the proviso thereto, against an employee who has retired on attaining the age of compulsory retirement or otherwise he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceeding final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date of retirement, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension, but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.
- (b) Payment of provisional pension made under clause (a) shall be adjusted against the final retirement benefits sanctioned to such employee upon conclusion of the afore-said proceeding, but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

Note:- The grant of pension under this rule shall not prejudice operation of Rule 59 when final pension is sanctioned upon conclusion of the proceeding.

- 3-B Notwithstanding anything contained in these rules, the monetary value equivalent to the amount of increments

[G.O.(P)131/77/Fin.,
dated 18th April 1977]

ordered to be withheld from an employee may be recovered from the death-cum-retirement gratuity of the employee where the order to withhold increments could not be given effect to before the retirement or death of the employee.

- 3-C Notwithstanding anything contained in these rules recovery of excess payments made to an officer by mistake within a period of four years before his retirement *and which are detected within a period of four years after retirement may be made from his pension and other amounts due to him after retirement, subject to the condition that such deduction if made from his pension shall be effected only in monthly instalments in whole rupees and that the amount of each instalment shall not exceed 10 per cent of the monthly pension admissible to him.

* [G.O.(P)427/79/Fin.,
dated 24th April 1979]

[G.O.(P)281/88/Fin.,
dated 25th March 1988]

GOVERNMENT DECISION

- (1) The words 'pension admissible' referred to in this rule is the 'pension admissible' before commutation.
- (2) In the event of death of the pensioner during the course of recovery specific sanction of Government is required to waive recovery of the balance amount outstanding.

[G.O.(P)No.517/84/Fin.
Dated 17/9/1984]

Section II – Cases in which claims are inadmissible

4. In the following cases, no claim to pension is admitted: -
- (a) When an employee is appointed for limited time only, or for specific duty, on the completion of which he is to be discharged.
 - (b) When a person's whole time is not retained for the public service, but he is merely paid for work done for the State.
 - (c) When a person is employed temporarily on monthly wages without specified limit of time or duty.

- (d) When an employee holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (b) or in respect of duties paid for by local allowance.
5. Misconduct or inefficiency: - (a) No pension may be granted to an employee dismissed or removed for misconduct, insolvency or inefficiency, but to employees so dismissed or removed, compassionate allowances may be granted when they are deserving of special consideration; provided that the allowances granted to any employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on the date of dismissal or removal.

GOVERNMENT DECISION

The authority competent to dismiss the Government employee will be the authority competent to sanction compassionate allowance. But a report of verification of the eligibility by the Audit Officer is necessary before compassionate allowance is sanctioned by competent authority.

No advance sanction will be accorded in the case of compassionate allowance.

The benefits of Rule 8/13/14A to 14 I of this Part will be extended for purposes of calculating the amount of compassionate allowance.

Commutation of compassionate allowance will be allowed subject to the rules in Appendix X and temporary increase will be admissible at the rates allowed for service pension. @ The benefit of minimum pension at the rates sanctioned from time to time also will be admissible with effect from 1st September 1968, i.e., on compassionate allowance due for payment in October, 1968, to those who are in receipt of compassionate allowance.

- (b) The following procedure shall be followed in the matter of sanctioning compassionate allowance: -

- (i) On receipt of the orders of the competent authority removing / dismissing an employee from service for misconduct, insolvency or inefficiency the Head of the office, if he proposes to recommend the grant of a compassionate allowance, should fill in the first page of the application for pension in Form 2 and send it to the Audit Officer concerned for report on the title to the compassionate allowance. The head of the Office should not wait for an application from the employee.
- (ii) If the competent authority in issuing orders of removal / dismissal states that a certain proportion of pension is to be granted as compassionate allowance, no further sanction to compassionate allowance is necessary and all that is required is that the Audit Officer should certify to the admissibility of compassionate allowance on a pension application completed and signed by the Head of the office as provided above.

COMPULSORY RETIREMENT AS A PENALTY

- 6. (a) An employee compulsorily retired from service by way of penalty may be granted by the authority competent to impose such penalty, pension and death-cum-retirement gratuity admissible to the employee on the date of such retirement, provided, however that the authority imposing the penalty of compulsory retirement may order at reduction either in pension or in death-cum-retirement gratuity or in both if the circumstances of any particular case warrant such reduction.
- (b) Where a person who has been granted pension dies within five years of his compulsory retirement, and his family is entitled to a family pension under rule 80 in this part, the family pension admissible will be half the amount of the pension actually sanctioned subject to the usual maximum of Rs. 150 and minimum of Rs.

30 subject to the further condition that minimum pension will not in any case exceed the full amount of the pension sanctioned to the deceased employee per mensem:

@ Provided also that in cases where family pension is less than Rs.20 per mensem the minimum amount of family pension will be raised to Rs. 20 per mensem.

\$ The minimum rate has been raised to Rs.25 and Rs.40 with effect from 7th June 1971 and 1st October 1971 respectively. The amount, if any, ordered to be reduced in the death-cum-retirement gratuity, as a penalty, should be reduced when residuary gratuity is given under Rule 69.

(c) When a person who has been granted pension on compulsory retirement dies, and his family is entitled to a family pension under section VII of this Part, the rules therein will apply.

7. *Limitation.*- An employee cannot earn two pensions in the same office at the same time, or by the same continuous service.

8. *Military Service* – (a) An employee transferred or discharged from military service of the former State of Travancore or Cochin or Travancore –Cochin which was pensionable or non-pensionable according to the rules at the time of such transfer or discharge shall be allowed to count such service for pension provided he remits to Government the mustering out concessions, if any, received by him. The service of those who were discharged on punishment shall not count for pension.

Note1:-In respect of persons formerly in the State Forces and transferred to State Civil Service their service prior to 1st April 1950 alone shall be counted for pension. In respect of those discharged after 1st April 1950 and appointed to civil posts under the Government the above rule shall apply only in the case of retirements on or after 5th June 1963. If in their cases the retirement was prior to 5th June 1963, State Force Service prior to 1st April 1950 alone shall be counted.

@ [This will take effect from 1st October 1967-
Vide G.O.(P)
504/67/Fin., dated 21st
November 1967]

\$ [G.O.(P)310/71/Fin.,
dated 7th June 1971 and
G.O(P)625/71/Fin.,
dated 19th October
1971.]

Note.2: -The service in the State Force of Ex-State Force Service personnel who are in receipt of military pension shall not be reckoned for civil pension.

[G.O (P) 364/77/Fin., dated 24th September 1977]

GOVERNMENT DECISION No.1

The refund of mustering out concessions (if any, not refunded previously) will be effected by adjustment from the gratuity due for Civil Service including the Ex-State Force Service.

GOVERNMENT DECISION NO.2

The details of service rendered in respect of which the mustering out benefits were granted and the refund of the concession should be noted in the Service Book of the employee by the pension sanctioning authority of the Civil Department.

- (b) Persons who have rendered “War Service” as members of His Majesty’s Forces and have been appointed to civil posts, in war reserved and other vacancies, which arose before the 1st January, 1948 shall be allowed to count their satisfactory whole – time service *[Takes effect from 31st July 1979]. † [Whether pensionable or not] in His Majesty’s Forces rendered between the 3rd September, 1939 (or the date of their attaining the minimum age of entry into the service or post to which they are appointed whichever is later) and the 1st April 1946, for purposes of pension, up to a maximum of five years, provided that the service gratuity, if any, received from the Defence Department for the war service is refunded to Government.

*Omitted by [G.O.(P) 564/81/Fin., dated 31st August 1981.]

† [G.O.(P) 587/69/Fin., dated 18th October 1969.]

The pensionary liability in this regard, will be allocated as laid down in para 14 of section B (IV) of Appendix III to the Kerala Account Code, Vol. I

GOVERNMENT DECISION NO. 1

For giving the benefit of Rule 8 (b) the Heads of Offices will follow the procedure given below:

The Heads of Offices where the war service candidates

are employed, will obtain the prescribed verification certificate (duly countersigned by the concerned Defence Accounts Officer) and make necessary entries in the Service Books of the war service candidates on the basis of such verification certificates. The verification certificates will also be filed in the Service Books. The details regarding the refund of service gratuity, if any, shown as having been paid to the employees in the verification certificates of Defence Accounts Officer will also be noted in the Service Books after refunding the amount to the credit of the state Government. The Heads of Offices will address the following authorities for the verification certificate in the form appended with suitable modifications to suit their requirements:

(a) Ex-Army Officers-

(i) Non-Medical Officers

A.G/s Branch/Org.3
(BR and C) (d) Army
Headquarters,
DHQ. P.O.,
New Delhi – 11.

(ii) Medical Officers

MPRS (O) (NE)
Medical Directorate.
Army Headquarters
DHQ.P.O,
New Delhi-11.

(b) Ex-Naval Officers

Personal Service
Directorate (Naval
Appointments) Naval
Headquarters,
DHQ.P.O.
New Delhi –11.

(c) Ex-Air Force Officers

Directorate of
Personnel (Officers)
P.O.2Air
Headquarters,
DHQ.P.O,
New Delhi-11.

(d) J.C. Os or and N.C.S.E. of the
Indian Army

The respective record
office as indicated in the
discharge certificate of
the individual
concerned.

(e) C.P.O., Petty Officers and Sailors of the Navy

The Captain,
Naval Barrack
(Drafting Office),
Bombay.

(f) M.W. Os, W. Os., N.G. Os. and Airmen of the Air Force

Directorate of Personnel
(Airmen)
Air Headquarters,
Vayu Bhavan
DHQ., P.O.,
New Delhi – 11.

FORM

Certificate of verification Military Service of
No.....RankName
.....Unit.....Re-enrolled in the
.....as.....from.....

The information required for verification of War/Military Service for the purpose of counting towards civil pension under Rule 8 (b) of the Kerala Service Rules, Part III is given as under:

1. Date of birth, or the nearest age on enrolment in the Army/Navy/Air Force if the former is not known.
2. Date of enrolment in the Army/Navy/Air Force
3. Date of discharge
4. Period of reserve service, if any
5. Whether the Military service was non- pensionable / pensionable under the military rules but terminated on or before pension was earned in respect thereof
6. Whether he was entitled to a service gratuity and if so, how much.
7. Whether the gratuity was drawn and is refundable to the Defence Service estimates (if the service is allowed to count for civil pension)
8. If the individual is in receipt of disability pension –

- (a) had he earned an ordinary service pension for his qualifying service
 - (b) had he only earned a service gratuity in lieu of which a service element of disability pension has been granted to him. If so, what was the amount of service gratuity.
9. Whether he was paid from the Indian Revenue throughout
 10. Whether the pensionary contribution has been recovered and credited to Indian Revenues for the period of his service out of India.
 11. Whether the whole period of service is covered by Rule 8 (b) of Part III, K.S.Rs.
 12. Non-Qualifying service, if any From to
 13. Period of satisfactory paid Military Service From to
 14. Whether the Military Service was superior or inferior
 15. Length of war service From to
 16. Amount of Service gratuity paid for the period of War Service indicated in the preceeding item.
 17. Amount of Service gratuity paid for the period of War Service
 18. Period and nature of leave (other than casual leave) availed of during Military Service

Station:

Date:

(Signature of the Record Officer Concerned)

Station:

Date:

Controller of Defence Accounts.
Countersigned

*GOVERNMENT DECISION No.2

There is no intention to deny the concession of counting war service to those who could not join duty prior to 1st January 1948 provided the other conditions relating to the grant of the concession are satisfied.

* [G.O.(P)253/67/Fin.,
dated 28th June 1967]

†GOVERNMENT DECISION No.3

The benefit of rule 8 (b) will be extended to those appointed against vacancies that arose on or after 1st January 1948 subject to the following conditions:-

†[G.O.(P) 244/80/Fin.
Dated 16th April 1980]

- (i) Break between war service / military service and civil service will be automatically condoned for pension purposes irrespective of the duration of break, but the period of break will under no circumstances be reckoned as qualifying service for pension.

This Government Decision will be deemed to have come into force with effect from 1st March 1976.

** (ii) In the absence of any specific indication to the contrary in the service records, breaks between two spells or war/military service will be automatically condoned and the pre-interruption service will be reckoned as qualifying service for pension except where it is known that the interruption was caused by dismissal or removal from service. The period of interruption itself will under no circumstances be reckoned as qualifying service for pension.

**[G.O.(P)396/80/Fin.,
dated 19th June 1980]

This Government Decision will take effect from 1st March 1976.

GOVERNMENT DECISION No.4

Refund of service gratuity (if any not refunded previously) will be effected by adjustment from the gratuity due for civil service including the war service.

[Circular No. 10/Pen-
4/68/Fin., dated 18th
March 1968.]

GOVERNMENT DECISION No. 5

1. The benefit of the war service to the extent admissible under this rule is admissible to those employees who were appointed in regular establishment after war service. It is not admissible to those who were appointed in work establishment posts after initial war service.
2. The work establishment personnel who have retired before 14th November 1966 and who have rendered war service with the permission of Government, while holding work establishment post and who were subsequently re-absorbed, after war service, in work establishment posts the vacancies in respect of which arose prior to 1st January 1948 will be allowed to count 50 per cent of the completed years of their war service admissible under this rule for pension and death cum-retirement gratuity and the maximum period of war service that can be reckoned for pension and death-cum-retirement gratuity shall be 2½ years. This has retrospective effect from 1st November 1956.
3. In the case of the work establishment personnel absorbed in regular establishment *[or appointed to regular establishment through Public Service Commission] and who retired on or after 1st April 1968 the entire war service to the extent admissible under this Rule will be reckoned for pension and death-cum-retirement gratuity.
4. Break between war service and civil service i.e., work establishment service, will be treated as automatically condoned in the case of those who retired before 14th November 1966.

But in the case of those who retire on or after 14th November 1966 breaks shall be condoned on the basis of Government Decision No. 3 above.

In the case of persons who were absorbed in regular establishment and who retire from service on or after 1st April 1968, breaks (if any) between initial work establishment service and war service will be regularized by the grant of leave without allowances under special orders of the Government in individual cases.

*[G.O.(P)399/72/Fin.,
dated 29th August
1972.]

[G.O.(P)548/69/Fin.,
dated 27th September
1969 and
G.O.(P)99/70/Fin.,
dated 4th February 1970]

GOVERNMENT DECISION No.6

In the case of contingent employees absorbed in regular establishment @ [or appointed to regular establishment through Public Service Commission] and who retired on or after 1st April 1968 the entire war service to the extent admissible under this rule will be reckoned for pension and death-cum-retirement gratuity.

@ [G.O.(P)399/72/Fin.,
dated 29th August
1972.]

GOVERNMENT DECISION No.7

In the case of those who have civil service prior to their war service, their qualifying service will be reckoned from the date of first entry in Government service including the entire period of war service and breaks, if any, provided they are governed by simplified Pension Rules and the, limit of completed years of war service laid down in the above rule will not be applicable to them.

- (2) To avoid enjoyment of two retirement benefits for the same period, the pension sanctioning authorities should satisfy that the officer was not employed in government / Quasi Government undertaking and did not enjoy any pensionary benefits for the period of break. In cases where verification is not possible a declaration in writing must be obtained from the officer concerned that he was not employed and has not obtained retirement benefits from Government / Quasi Government undertaking during the period of break / breaks and that he is agreeable to recover from his pension, the pensionary benefits, C.P.F. benefits, if any, received by him if it is found out later that he has received such benefits.

[G.O.(P)71/76/Fin.,
dated 2nd March 1976]

GOVERNMENT DECISION No.8

The benefit of this rule will be applicable to the hereditary village staff of Malabar area absorbed into Government service whose service in the hereditary village establishment counts for pension under Rule 14F, K.S.R., Part III. [This decision has effect from 28th July 1970 vide G.O(P)176/76/R.D., dated 31st January 1976.]

[G.O.(P)308/76/Fin.,
dated 29th September
1976.]

GOVERNMENT DECISION No.9

In the case of war / military service sandwiched between aided school service, the qualifying service will be calculated from the date of first entry in the aided school service, including the entire period of the sandwiched war/ military service, but excluding breaks if any, subject to other conditions regarding counting of aided school service.

[G.O.(P) 496/77/Fin.,
dated 3rd December
1977]

The above orders are applicable only to persons governed by Kerala Service Rules including the simplified pension rules.

[G.O.(P) 883/79/Fin.,
dated 26th September
1979]

GOVERNMENT DECISION No.10

In the case of reservist service, half of reservist service will count for pension provided the lump sum gratuity received in lieu of reservist pensioner is refunded to Government.

In the case a reservist got appointment under the State Government, but he continues to be a reservist in the military, half of the reservist service prior to appointment in Government Service alone will count

[G.O(P) No.
656/82/Fin.,
dated 5/11/1982]

- (c) Ex-servicemen re-employed in civil service shall be allowed to count their Military Service other than war service in the Armed Force of India from 1st April 1946 which is non pensionable or pensionable under Military Rules but which terminated before a pension has been earned in respect of it for purpose of Civil pension, in cases of retirement from civil service on or after 14th November 1966.

Provided that the bonus or gratuity, if any, received for the period of Military Service by the person concerned from the Defence Department is refunded to that Department:

Provided also that the person concerned is not in receipt of any military pension in respect of his Military Service. Breaks between Military Service and Civil Service shall be condoned in accordance with the Government Decision No. 3 above.

[G.O.(P) 214/PD., dated
24th July 1969 and
G.O.(P) 587/69/Fin.,
dated 18th October
1969]

The pensionary charges in respect of Military Service other than war service will be borne by the Government of India on a service share basis in accordance with the normal rules in Appendix III B, IV of the Kerala Account Code, Volume I.

GOVERNMENT DECISION No.1

The benefit of counting military service other than war service in the Armed Forces in India referred to above will be extended to work establishment / contingent employees absorbed in regular establishment *[or appointed to regular establishment through Public Service Commission] and who retired on or after 1st April 1968.

*[G.O.(P)399/72/Fin.,
dated 29th August 1972]

GOVERNMENT DECISION No.2

Where a State Government Employee is in receipt of a disability pension which does not include any service element his war / military service can be allowed to count for pension. On the contrary, if the disability pension received by such an employee includes service element his war / military service will not count for civil pension under the State Pension Rules.

[G.O.(P) 580/ 75/Fin.,
dated 29th December
1975.]

GOVERNMENT DECISION No. 3

The benefit of this rule will be applicable to the hereditary village staff of Malabar area absorbed into Government service whose service in the hereditary village establishment counts for pension under rule 14F, K.S.R. Part III [This decision has effect from 28th July 1970 vide G.O.(P) 176/76/R.D., dated 31st January 1976.]

[G.O.(P)308/76/Fin.,
dated 29th September
1976]

*GOVERNMENT DECISION No.4

Discharge on one's own request from Army Service is not resignation and that Army Service in such circumstances also is reckonable towards subsequent civil service subject to the conditions laid down in the rules in part III KSRs, and subject to the refund of pensionary benefits, if any, received by him along with 6% simple interest on the same from the date of receipt till the date of refund.

[G.O.(P) No.
993/2000/Fin.
Dated 28/6/2000]
(w.e.f. 23-10-1986)

CHAPTER II QUALIFYING SERVICES

9. Beginning of Service.- (a) Except for compensation gratuity, an employee's service does not qualify till he has completed 18 years of age.
- (b) In other cases, unless it be otherwise provided by special rule or contract, the service of every employee begins when he takes charge of the office to which he is first appointed.
10. The service of an employee does not qualify for pension unless he is appointed, his duties regulated, and paid by the Government or under conditions determined by the Government.
11. Notwithstanding the provisions of rule 10, the Government may,
1. declare that any specified kind of service rendered shall qualify for pension; and
 2. in individual cases, and subject to such conditions as they may think fit to impose in each case, allow service rendered by an employee to count for pension.

Note.1.- Service rendered under Governor's Household prior to 18th September 1963 will qualify for pension in the case of an employee absorbed there from in a post in the Governor's Secretariat, on the certificate of the Secretary, Governor's Household, Raj Bhavan or the Secretary to Governor as the case may be, as to the correctness of such service.

@Note.2- Temporary employees of the Government of India on deputation to the State Government who are subsequently absorbed in the service of the State Government will be allowed to count for pension the period of their continuous temporary service under the Government of India immediately

@[G.O.(P) 247/69/Fin.,
dated 26th May 1969]

preceeding the service under the State Government (Vide also Rule 61). *Employees of State Government departments who left the former service in Central Government/Central Public Sector Undertakings on their own volition for taking up appointment in State Government departments will be allowed to reckon their prior service for all pensionary benefits along with the service in State Government departments. In the case of prior service rendered by Central Government employees in State Government and vice versa, the liability of pension including gratuity, will be borne in full by the Central Government/State Government to which the Government servant permanently belongs at the time of retirement and no recovery of proportionate pension will be made from Central Government/State Government under whom he had served. But in the case of employees who left the former service in Central Public Sector Undertakings, this benefit will be available only if the former employer remits the share of proportionate pro-rata pension liability on a service share basis.

Substitution
*[G.O.(P) 39/06/Fin.,
dated 23rd January
2006]
w.e.f. 12-11-02

12. Service in an establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, including the period during which the establishment is not employed, qualifies, but the period during which the establishment is not employed shall qualify only if the employee was on actual duty when the establishment was discharged after completion of its work and on the date on which it is re-employed.
13. Work Establishment employees absorbed in regular establishment will be allowed to count 50 per cent of the work establishment service for purposes of pension.

In cases of retirements on or after 1st April 1968 the entire full-time work establishment service excluding periods of actual break will count for pension provided

that if the employee was a member of any Contributory Provident Fund Scheme, the employer's share of Provident Fund Contribution with interest thereon shall be refunded to Government

Explanation – Period of officiating / temporary service in the regular establishment interposed between work establishment service will be treated as work establishment service.

GOVERNMENT DECISION

The benefits contemplated in this rule will be admissible also in the case of persons in the work establishment who have been subsequently recruited by the Public Service Commission to the regular establishment [G.O.(P).16/71/Fin., dated 7th January 1971.]

- 14.A. Contingent employees absorbed in regular establishment will be allowed to count 50 per cent of the contingency service for purposes of pension:

Provided that this rule will apply to cases of retirement from 2nd September 1957 only (irrespective of the date of absorption of such employees into regular establishment).

In cases of retirements on or after 1st April 1968 the entire full time contingency service will count for pension.

Explanation – Periods of officiating / temporary service in regular establishment and/or periods of works establishment service interposed between persons of contingency service will be treated as contingency service.

GOVERNMENT DECISION

The benefits contemplated in this rule will be admissible in the case of persons in the contingent establishment who have been subsequently recruited by the Public Service Commission to the regular establishment. [G.O.(P)208/72/Fin., dated 19th June 1972]

*14-B. The continuous service under the District Boards put in as Health Assistants by the Health Inspectors allotted to Kerala from 1st November 1956 shall be reckoned as qualifying service for pension to the extent specified below:

*[G.O.(P) 525/67/Fin.,
dated 5th December
1967]

- (i) service verified to be covered by pensionary contribution, in full and
- (ii) fifty per cent of the service in respect of which remittance of pension contribution has not been made by the District Board (s) or with regard to which the remittance of contribution could not be verified

(This amendment shall be deemed to have come into force with effect from 1st November 1956.)

- (iii) The entire service of the Health Assistants in the Malabar District Board Service and Sanitary Inspectors, First Class Vaccinators, Birth and Death Registrars and License Inspectors under the various local bodies in the Madras State who were recruited by the Madras Public Service Commission as Health Inspectors before 1st November 1956 and allotted to Kerala as Government servants as 1st November 1956 will count for pension (G.O.(MS)349/69/H.D., dated 19th December 1969 and 149/70/H.D., dated 29th April 1970)

14-C Fifty per cent of the edavagai service of persons absorbed in Government service will be counted for the purpose of pension.

In the case of retirements on or after 1st April 1968 the entire edavagai service will count for purpose of pension. The entire edavagai service of village staff absorbed into Government service as per the Edavagai Acquisitions Act, 1955 will count for pension irrespective of the date of retirement

[G.O.(MS.)597/Rev., dated 11th July 1962, G.O.(P) 780/70/Fin., dated 3rd November 1970 read with G.O.(P) 413/71/Fin., dated 15th July 1971 and G.O.(MS.) 110/70/RD.,dated 28th July 1970.]

- 14-D Fifty per cent of the continuous service of the employees under the District Soldiers, Sailors and Airmen's Boards, prior to 1st March 1964 absorbed, into regular establishment will be counted for the purpose of pension. [G.O.(MS)241/66/PD., dated 10th June 1966 and G.O.(P) 780/70/Fin., dated 3rd November 1970.]

In the case of retirement falling on or after 1st April 1968 the entire service under the District Soldiers, Sailors and Airmen's Boards will count for pension.

- 14-E Aided School service put in by Government employees prior to entry in Government service qualifies.

[Takes effect from 24th January 1968-Vide G.O.(P) 39/68/Fin., dated 24th January 1968 read with G.O.(P)605/72/Fin., dated 25th November 1972.]

Note-1. Service in unaided school in erstwhile Travancore – Cochin area which acceded to the Private Secondary School Scheme, put in by Government school teachers, prior to entry into Government service, whose service in aided school is allowed to count for pension under the above Rule will also qualify for pension.

[This Note shall be deemed to have come into force with effect from 24th January 1968-G.O.(Rt.)1014/84/G.Edn., dated 29th March 1974.] [G.O.(P)235/75/Fin., dated 12th June 1975.]

#Note-2- The benefit of the above rule shall be admissible to all the teachers who retired on or before the 24th day of January 1968 and were alive on the 7th day of January 1983. [G.O.(P)No.263/85/Fin. Dated 9/5/1985] (w.e.f 7th January 1983)

GOVERNMENT DECISIONS

1. Both teaching and non-teaching service in aided schools put in by Government employees prior to their entry into Government Service will count for pension. This benefit is also admissible to Government employees other than teachers.
- *2. The actual period of service in aided schools only will count. *deleted [G.O.(P) No.469/85/Fin. Dated 22/8/1985]

3. In cases of resignation of the appointment in aided school service for the purpose of taking up Government appointment, break, if any, between the aided school service and the Government service should not exceed the joining time admissible under the service rules plus public holidays. Service prior to resignation for other reasons will not count.

4. The Government contribution, if any, to their Provident Fund Account in respect of their aided school service shall be refunded to Government.

5. The Manager's share of contribution in Provident Fund Account in respect of aided school service also shall be refunded to Government. In such cases, a certificate in the following form shall be recorded in the Service Book by the pension sanctioning authorities: **or Heads of Departments

**[G.O.(P)No.
103/86/Fin. Dated
27/1/1986]

“Certified that the Government's / Manager's share of contribution with interest thereon which should have otherwise gone to the employee has not been /will not be paid to him / her but has been / will be credited to Government.”

The certificate regarding the crediting of Manager's contribution is not necessary when contributions are to be paid back to the Managers under rules.

6. For counting the aided school service a certificate in the following form shall be recorded in the Service Book by the pension sanctioning authorities: or **Heads of Departments.

“Service has been verified with reference to the initial records such as attendance registers, acquittance rolls, pay bills, etc., and is qualifying for pension.”

**6-A “For recording the certificates as in Government decisions 5 and 6 above certificates duly countersigned by the DEO can be relied upon. In such cases it should also be recorded that, the certificates is as per letter No.....dated.....of the DEO(Place). In cases where the service in the aided school/s have been entered in the service book under proper authentication further

**[G.O.(P)
No.103/86/Fin. Dated
27/1/1986]

certificate to that effect is not necessary.”

7. In the case of aided school service sandwiched between Government service, the qualifying service for pension should be calculated from the date of first entry in Government service and the entire period including the sandwiched aided school service should be reckoned for pension subject to recovery of GPF benefits, if any, received by them.

The above orders are applicable only to persons governed by Kerala Service Rules and who retire / die while in service on or after 14th November 1966.

[G.O.(P)71/76/Fin.,
dated 2nd march 1976]

- 8.(i) The benefit of counting periods of break as per note 3 below Rule 31, part III Kerala Service Rules will be allowed in cases where the appointment before the break was not provisional or for limited period and the break was due to reduction of staff strength of the institution

- (ii) In cases not covered by (i) above the actual period of service excluding the periods of break will be reckoned for qualifying service.

[G.O.(P)No.344/84/Fin.
Dated 17/9/84
w.e.f 17th July 1984

- (iii) In cases covered by (i) above the certificate that termination of appointment was due to reduction of staff strength of the institution should be countersigned by the pension sanctioning authority or [*Heads of the Departments.]

*G.O.(P)No.469/85/Fin.
Dated 22nd August
1985.
w.e.f 17th July 1984

- 14-F The entire service under the hereditary system put in by those village staff in the Malabar area absorbed into regular Government service will be reckoned for purposes of pension and other retirement benefits.

[G.O.(MS)
No.110/70/RD., dated
28th July 1970]

In such cases, break if any, between hereditary service and the regular service will be automatically condoned.

[G.O.(MS)No.804/64/R
ev., dated 28th
November 1964 and
G.O.(MS)No.581/69/R
D., dated 1st December
1969]

GOVERNMENT DECISION

Both teaching and non-teaching service in aided schools put in by the hereditary village staff who have

subsequently, been absorbed into regular establishments will count for purposes of pension and other retirement benefits, subject to the condition laid down in Government decision under rule 14 E, K.S.R., Part III.

[This takes effect from 24th January, 1968 vide G.O.(P) 39/68/Fin., dated 24th January, 1968. Arrears shall be paid from 1st April 1970 only].

[G.O.(P)70/77 dated 24th February 1977]

- 14-G In the case of copyists who retired from service on or after 10th July 1947, 50 percent of their service of volunteer Copyist in the Revenue and Judicial Departments will count for purposes of pension along with their subsequent service in the regular establishment prior to 10th July 1947. [G.O.(MS)No.609/60/Fin., dated 14th December 1960]
- 14-H The entire service of the employees of the Marine Department of Travancore-Cochin area (whose service prior to April 1, 1958 and after April -1, 1960 was under Government) between April 1, 1953 to March 31, 1960 under Port Fund will be treated as regular Government Service and counted for purposes of pension under the Service Rules applicable to them.
- The service of those entertained in that Department after April 1, 1953 will be governed by the Kerala Service Rules from November 1, 1959.
- 14-I The entire service of the employees of the Malabar District Board [*Educational and Medical Institution] taken over by Government will count for purposes of pension provided that the Board's contribution to the Provident Fund Accounts with interest has been lapsed to Government and the contributions of the subscribers have been transferred to the State Provident Fund. * Omitted [G.O.(P) 149/85/Fin., dated 12th March 1985]
- *14-J. The provisional service put in by the persons under the Malabar District Board who left the Boards Service / prior to the date of its abolition and take over by the Government and got appointment in the State Government Service and retired on or after the 1st January 1962 shall be reckoned for pension, subject to the following conditions. *Deletion & Insertion [G.O.(P) 149/85/Fin., dated 12/3/1985]

- (i) such provisional service is verified and recorded in the Service under proper attestation and contributory pension fund benefits if any, received for such service is refunded.
 - (ii) The actual period of provisional service alone will count.
 - (iii) Interruption between the provisional service in the Board and the Government service shall be treated as automatically condoned except when it was caused by resignation, dismissal or removal from service. Resignation from Boards Service, to take up Government appointment shall not constitute break in service, provided the period of break does not exceed the joining time admissible under the Service Rules including Public Holidays.
15. Apprentices & Probationers. – Service as an apprentice does not qualify except in the following cases:-
- (i) Engineer Apprentices in the Public Works Department.
 - (ii) Apprentice Compositors in the Government Press.
16. Probationary service followed by qualifying service counts for pension.
17. Piece work – A press employee who is paid for piece work is treated as having rendered service qualifying for pension if -
- (1) he is employed, not casually, but as a member of a fixed establishment; and
 - (2) during the last seventy two months of his actual employment he has been attached to one office uninterruptedly for twenty four months, or it has not been through his own choice or misconduct that he has not been so attached.

18. Sources of remuneration – service which satisfies the conditions prescribed in Rule 10 qualifies or does not qualify, according to the source from which it is paid; with reference to this rule, service is classified as follows:-
- (a) Paid from the General Revenues of the State.
 - (b) Paid from Local Funds.
 - (c) Paid from Funds in respect of which the Government holds the position of a trustee.
 - (d) Paid by Fees levied by law, or under the authority of the Government or by Commission.
 - (e) Paid by the grant, in accordance with law or custom, of a tenure in land, or of any source of income, or right to collect money.
19. General revenues of the State. - Service paid from the General Revenues qualifies, the fact that arrangements are made for the recovery, on the part of the Government, of the whole or part, of the cost of an establishment or employee does not affect the operation of this principle; provided that the establishment or employees is appointed, controlled, and paid by Government.
- Note.1- In making arrangements for the recovery of cost of establishments, it should not be forgotten that Government have to bear not only the immediate cost, but also that of leave salary and pensions.
- Note.2-When Police Personnel are entertained at the cost of individuals and corporate bodies an additional charge of one-fourth the pay of the personnel must be defrayed by the persons for whose benefit they are employed.
20. Local Funds and Trust Funds. – Service paid from a Local Fund does not qualify for pension except under special orders of Government.

21. The Administrator of Local Fund may with the permission of the Government, make a permanent arrangement for contributing for pension from the General revenues for its employees, or for any specified classes of them by paying to Government a contribution of one-sixth of the sanctioned salaries of the several appointments:

Provided that (a) the contribution is paid by cash or cheque to the nearest Government Treasury within the 15th day of the month following that for which the contribution is payable. Any default in the payment of the contributions, within this period will entail forfeiture of the claim against Government, but the claim may be revived on payment of arrears with interest at the rate of 4 paise a day per rupees one hundred from the date from which the contribution was in arrears, (b) the bills of establishment charges are subject to audit by Government under the rules provided for the audit of Government establishment charges. Arrear contributions in respect either of individuals or classes of employees proposed with a view to render past service qualifying cannot be accepted.

GOVERNMENT DECISION

Pension contribution payable on behalf of a local body employees will be rounded off to the nearest rupee as follows:-

- (i) Fraction below 50 paise will be ignored and 50 paise and above will be rounded off to the next higher rupee.
- (ii) Rounding off will be done (a) at the initial state while calculating the monthly rates of pension contribution payable on behalf of each employee, (b) while calculating pension contribution payable on behalf of each employee for part of a month.

[G.O.(P) 186/76/Fin.,
dated 2nd July 1976.]

This decision will take effect from 1st April 1976.

RULING

Consequent on the introduction of the Contributory Provident Fund Scheme, the benefits of pension under Article 346-V, Travancore Service Regulations were restricted to the employees who were permanent in the Trivandrum Corporation in 1st Chingam 1126/ 17th August 1950 and in the Municipality of the Travancore area on 1st April 1953. The pension contribution in respect of an employee of this category ceases to be payable when he retires; and need not be paid for the periods which do not count for pension.

22. Service paid from funds which Government held only as a trustee such as under a Court of Wards or in an attached estate, does not qualify.
23. Fees and Commissions.- Except when fees or commissions are drawn in addition to pay from the General Revenues, service in an office paid only by fees, whether levied by law under the authority of Government, or by a commission, does not qualify.
24. Tenure in Lands, etc. Service paid by the grant in accordance with law or custom of tenure in land, or of any other source of income, or right to collect money, does not qualify.

CHAPTER III

Section I – Rules for Reckoning service Special addition

25.(a) Persons recruited from the Bar after the age of 25 years to appointments in Government service may add to their service qualifying for superannuation pension (but not for any other kind of pension) the actual period * not exceeding 10 years by which their age at the time of recruitment exceeded 25 years provided that no employee can claim the benefit of this rule unless his actual qualifying service at the time he becomes eligible for superannuation pension is not less than eight years. This concession is also subject to the condition that the period that may be so added shall not at any time exceed the actual period of the employee's practice at the Bar.

*[G.O.(P)No.
1079/92/Fin.,
dated 17-12-1992.
Takes effect from
1-4-1990
[G.O.(P)
No.227/96/Fin., dated
1-3-1996]
Takes effect from
1-4-1990

*Provided that the benefit under this sub-rule shall be available only to employees who are recruited when practicing at the Bar to posts requiring law qualification and experience at the Bar.

*Addition
G.O.(P) 22/85/Fin.,
dated 18/1/1985.

No application will be entertained for pension or extra pension on the ground that the appointee did not get an opportunity for service for the qualifying period.

RULING

For the purpose of this rule, the period of actual practice at the Bar need not be continuous. Actual period of practice even if it is in different spells will be reckoned for pension subject to the other conditions in the rule.

[This ruling will have retrospective effect from 1st November 1956 vide G.O.(P) 125/70/Fin., dated 20th February 1970].

GOVERNMENT DECISION No.1

A certificate issued by the Presiding Officer of the Court where the Officer practiced before entering Government service may be accepted as sufficient proof of Bar service.

*GOVERNMENT DECISION No. 2

The benefit of Bar Service will be confined to officers who are recruited.

*Deleted
[G.O.(P)No.23/85/Fin.
Dated 18/1/1985]

- (i) at the time when they are practicing at the Bar and
- (ii) to posts requiring law qualifications and experience at the Bar.

[G.O.(P)470/78/Fin.,
dated 22nd May, 1978.]

- (b) Honorary Medical Officers recruited to the paid cadre after the age of 25 years may add to their service qualifying for superannuation pension but not for any other kind of pension 50 per cent of the period of honorary service.

Note: The concession contemplated in (b) above shall apply to the Physician of the Ayurveda Department and the Veterinary Surgeons of the Department of Animal Husbandry.

- (c) The service rendered under the Central Government by the employees of the Employment Exchange and Training Centers taken over to State, will be reckoned for purposes of pension on their absorption in State service. The allocation of the pensionary liability between the Central and State Government will be as follows:-
 - (i) for the period of service rendered by an employee for which pay was borne wholly either by the State or the Central Government, the liability for pension for the said period shall be of the Government concerned;
 - (ii) for the period of service rendered by an employee for which pay was borne by the Central and State Government in the proportion of 60:40, the liability for pension for such period will be shared by the Governments concerned in the same proportion.
- (d) Persons recruited as a Director of Ports or Port Officers may add to their service qualifying for superannuation pension (but not for any other kind of pension) the actual period of their service in the Merchant Navy or organizations like the

Major Port Trusts of India not exceeding five years by which their age at the time of recruitment exceeded 25 years, provided that no employee can claim the benefit of this rule unless his actual qualifying service at the time he becomes eligible for superannuation pension is not less than eight years. This concession is also subject to the condition that the period that may be so added shall not exceed the actual period of the employee's service in the Merchant Navy or organizations like the Major Port Trust of India.

No application shall be entertained for pension or extra pension on the ground that the appointee did not get an opportunity for service for the qualifying period.

A certificate issued by the Director of Ports in the case of Port Officers and that issued under the countersignature of the Secretary to Government in the Administrative Department in the case of Director of Ports verification of the certificates and other documents may be accepted as sufficient proof of such service.

The amendment hereby made shall be deemed to have come into force with effect from the 27th September 1974.

[G.O.(P)145/77/Fin.,
dated 16th May 1977.]

Section II – Periods of leave and training

26. Time passed on leave of all kinds with or without allowance will count as qualifying service unless otherwise specified.

GOVERNMENT DECISION

The authority competent to declare a spell of leave as non-qualifying for pension will be the Government and the grounds on which the period of leave will be treated as non-qualifying, will be laid down by general or special leave will be treated as non-qualifying, will be laid down by general or special orders issued from time to time. This decision takes effect from 27th June 1974.

[G.O.(P)32/77/Fin.,
dated 22nd January
1977.]

27. Period of Training – The Government may at their discretion decide in the case of a person it training for , but not actually appointed to, Government service, whether the time spent in training shall count as service qualifying for person.

Section III – Suspension, Resignations and Interruption in Service

28. Period of suspension – Time passed under suspension does not count for pension unless otherwise ordered by the authority competent to do so.

Time passed under suspension pending enquiry into conduct counts in full where, on conclusion of the enquiry, the Government employee has been fully exonerated or the suspension is held to have been wholly unjustified in other cases, the period of suspension does not count unless the authority competent to pass order under rule 56, part I, expressly declares at the time that it shall count, and then it shall count only to such extent as the competent authority may declare.

29. Resignation and dismissal- (a) Resignation of the Public Service or dismissal or removal from it, entails forfeiture of past service.

(b) Resignation of an appointment to take up another appointment the service in which counts is not resignation from public service.

Note:- The break between the two appointments should not exceed the joining time admissible under the service rules plus the public holidays.

30. Any authority who, on revision or on appeal, reverses an order dismissing or removing an employee, may declare that the employees past service counts.
31. Interruptions – Interruptions in the service of an employee will count for pension provided it is not specifically laid down in these rules or otherwise ordered by competent authority and recorded accordingly in the Service Book:

*Provided further that where the interruption is on account of participation in a strike it shall not count and shall entail forfeiture of past service.

*Deleted
[G.O.(P)No.549/88/Fin.
Dated 31-8-88]
(w.e.f 3rd February,
1988)

*Note 1. Refusal to do work, though physically present at the place of duty by resort to pen down strike, or stay in strike or other methods will be treated as interruption not counting for pension and entailing forfeiture of past service.

*Note 2. Where the period of interruption referred to in the proviso to the above rule and Note 1 there under, is treated as “diesnon”, such period will count for pension.

(This clarification will have effect from 4th February 1971)

Note 3. In case where the period of an interruption in service exceeds one year, the benefit or reckoning the period of such interruption in service shall be restricted to the periods he was actually in service prior to the date of the interruption.

[G.O.(P)47/78/Fin.,
dated 10th January 1978]

GOVERNMENT DECISION

The authority competent to fill up the appointments to the posts in cadre in which an employee is borne, shall be the authority to declare interruption in his service as non-qualifying for pension.

[G.O.(P)32/77/Fin.,
dated 22nd January
1977] with effect from
27-6-1974

CHAPTER IV

CONDITIONS OF GRANT OF PENSION

Section I – Classification of pensions

32. Pensions are divided into four classes, the rules for which are prescribed in this chapter:-
- (a) Compensation Pensions
 - (b) Invalid Pensions
 - (c) Superannuation Pensions
 - (d) Retiring Pensions

Section II – Compensation Pensions

33. If an employee is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by the authority competent to discharge him, to be at least equal to those of his own, have the option:
- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
 - (b) of accepting another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.
34. Selection for discharge- The selection of the employee to be discharged upon the reduction of an establishment should prima facie be so made that the least charge for compensation pension will be incurred
35. The discharge of an employee to make room for another better qualified is not the abolition of an appointment within the meaning of Rule 33; the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for compensation pension. The saving should always exceed the cost of pension;

otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment.

36. No pension is admissible to an employee for the loss of an appointment on discharge after the completion of a specified term of service.
37. No pension may be awarded for the loss of a compensatory allowance or special pay.
38. If it is necessary to discharge an employee in consequence of a change in the nature of the duties of his office, the case should be referred to the Government, who will deal with it in accordance with the rules laid down in this section as to notice of discharge and compensation pension or gratuity.
39. If of two appointments held by an employee only one is abolished and it is desired to give him an immediate pension in respect of the abolished post, the case should be referred to Government .
40. Reasonable notice should be given to an employee in permanent employee before his services are dispensed with on the abolition of his office. If in any case notice of at least three months is not given, and the employee has not been provided with other employment on the date on which his services are dispensed with, then with the sanction of Government a gratuity not exceeding his emoluments for the period by which the notice actually given to him falls short of three months, may be paid to him, in addition to the pension to which he may be entitled under Rules 64 to 70 but the pension shall not be payable for the period in respect of which he received a gratuity in lieu of notice.
Note 1. - The gratuity prescribed in this Rule is not granted as compensation for loss of employment but only in lieu of notice of discharge, with a view to mitigate the hardship caused to an employee by the sudden loss of employment. When therefore an employee discharged without notice is provided with some other employment on the date on which his service are dispensed with, whether that employment be in qualifying or non qualifying service, he is not entitled to any gratuity.

Note 2. - Unless it contains an express statement to the contrary, an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the employees whose services are to be dispensed with on such abolition. The immediate Head of the Office or the Department will be held responsible for any unnecessary delay in giving such notice. In the case of an employee on leave, the order shall not be brought into operation until the leave expires.

Note 3. - 'Emoluments' in this rule means the emoluments or leave allowances (or partly the one, partly the other), which the employee would be receiving during the period in question, had the notice not been given to him.

GOVERNMENT DECISION

The gratuity paid in lieu of notice on abolition of an appointment should be charged to the particular department to which the pay of the appointment was debited before its abolition.

41. Rules requiring the refund of the compensation gratuity on re-employment, apply to a gratuity awarded under rule 40, if the employee is permanently re-employed within three months from the date of notice. But the employee need not refund that proportion of his gratuity under this rule, which the interval of his non-employment bears to the whole period for which the gratuity is given. If the employee is re-employed only temporarily he need refund no part of his gratuity but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

Section III – Invalid Pension

- 42.(1) Where the Government / pension sanctioning authority have / has reason to believe that an employee is suffering from a contagious disease, or physical or mental disability or infirmity which in their / its opinion interferes with the efficient discharge of his

duties, they / it may direct him to undergo medical examination by a Medical Board or Medical Officer with a view to ascertain whether he may be retired from service on invalid pension.

- (2) An invalid pension shall be granted to an employee who, having appeared on the directions of the Government / pension sanctioning authority under sub-rule (1) or on his own application, before a duly constituted Medical Board or Medical Officer is certified by such Medical Board or Medical Officer to be permanently incapacitated by a contagious disease or physical or mental disability or infirmity for the public service or for the particular branch of it to which he belongs.

[G.O.(P)No.51/79/Fin.,
dated 20th January 1979]

- (3) #In the case of an employee who is invalidated under this rule irrespective of the length of service, put in by him the actual period of his qualifying service as on the intended date of invalidation shall be increased by a period of 5 years subject to the condition that the total qualifying service after allowing the weightage shall not exceed 30 years and the weightage shall not exceed the difference between the age of superannuation and the age at the date of invalidation. Fractions, if any in the qualifying service so arrived at shall be rounded to the nearest completed year, that is, fraction of less than half year shall be ignored and half year and above shall be rounded to the next completed year.

#[G.O.(P)
NO.220/87/Fin., dated
10th March 1987]

Rules regarding Medical Certificates

43. The incapacity for service must be established by a medical certificate attested as follows:-
- (a) By a Medical Board, in the case of all gazetted Government employees whose pay as defined in Rule 12(23), Part I of these Rules, exceeds Rs.500 per mensem.
 - (b) In other cases, by a Medical Officer not below the rank of a Civil Surgeon.
 - (c) No Medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the Head of his Office or

Department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the Office or Department in which the applicant is employed with a statement of what appears from Official records to be the applicant's age. Where the applicant has a Service Book, the age therein recorded should be reported.

Note:- Reciprocal arrangements have been entered into with the Mysore Government to the effect that employees including Police personnel of one State while staying in the other will be examined free of cost by a medical Board or a Medical Officer employed under the Government of the State concerned for the purpose of invalidating from Government Services. A medical requisition from the competent authority will be required before the medical examination is conducted.

Exception: - Last Grade Employees of the Forest Department who have attained the age of fifty-five may be granted invalid pension without the production of the medical certificate. It is enough if the Head of the Department certifies to their incapacity for further service.

RULING

If an applicant suffering from any disease curable by operation refuses to undergo operation and is therefore invalidated, no pension or gratuity is admissible. Each case of invalidation on account of curable disease should be decided on merits. The Head of Departments / Offices should forward such cases with the recommendation of the pension sanctioning authority / Head of the Department for the orders of the Government.

44.(a) A Succinct statement of the medical case and of the treatment adopted, should, if possible, be appended in the following form:-

(1) Name:

(To be filled in by the applicant in the presence of the Medical Officer who issues the medical

certificate or the Medical Board constituted for the purpose, as the case may be)

- (2) Appointment held by the Applicant:
- (3) Age (years):
- (4) Total Service (years):
- (5) Service in India (years):
- (6) Previous period of leave of absence on Medical Certificate:
- (7) Habits:
- (8) Disease:
- (9) Treatment adopted :

Note:- The details required to fill in item numbers 2,3,4,5 and 6 have to be furnished by the Head of the Office in which the applicant is employed.

- (b) If the examining Medical Officer, although unable to discover any specific disease in the employee considers him incapacitated for further service by general debility while still under the age of fifty five years, he should give detailed reasons for his opinion, and if possible a second medical opinion should always in such a case be obtained.
 - (c) In a case of this kind, special explanation will be expected from the Head of the Office or Department of the grounds on which it is proposed to invalid the officer.
45. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an employee whose recorded age is less than fifty five years but a Medical Officer is at liberty, when certifying that the employee is incapacitated for further service by general debility, to state his reasons for believing the age to understated.

FORM OF MEDICAL CERTIFICATE

- 46.(a) The form of the certificate to be given in respect of an employee applying for pension is as follows:-

“Certified that I / we have carefully examined AB son of CD ain thedepartment. His age is by his own statementYears and by appearance aboutyears. I / we consider AB, to be completely and permanently incapacitated for further service of any kind in the Department to which he belongs in consequence of(here state disease or cause). His incapacity does not appear to me / us to have been caused by irregular or intemperate habits”.

Note:- If the incapacity is obviously the result of intemperance substitute for the last sentence: “In my / our opinion his incapacity is the result of irregular or intemperate habits”.

If the incapacity does not appear to be complete or permanent, the certificate should be modified accordingly and the following addition should be made: I am /we are of opinion that AB, is fit for further service of a less laborious character than that which he has been doing (or may, after resting formonths , be fit for further service of a less laborious character than that which he has been doing)

- (b) The object of the alternative certificate of incapacity is that an employee should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension; but it should be considered whether in view of his capacity for partially earning a living it is necessary to grant to him the full pension admissible under rules.
- (c) The above certificate does not give an employee any right of transfer to any other Department; and an employee invalidated on a certificate in this form will receive either full pension admissible under rules or

such smaller amount as may be decided by the authority empowered to sanction the pension.

47. Special precautions in the Police – The Inspector General and the District Superintendents of Police should be on their guard against endeavours to retire on invalid pension by police personnel who are capable of serving longer.
48. Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in hospital and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.
49. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension, and whenever, the number of applicants for pension is large, the examination should, if possible, be conducted by two Medical Officers.
50. Restrictions- An employee discharged on other grounds has no claim under Rule 42, even though he can produce medical evidence of incapacity for service.
51. If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is grantable to decide what reduction should be made on this account.

Note – The expression irregular or intemperate habits' occurring in this rule refers to incapacity on account of drug habits or on account of diseases resulting from immoral habits. Cases where incapacity occurs due to other causes, e.g., work at irregular hours due to exigencies of service and not due to own volition, do not come under the purview of this rule.

52. Applicants to be discharged - An employee who has submitted under Rule 43 a medical certificate of incapacity for further service, must not (except for

special reasons to be reported to the Government) be retained on duty pending a decision on his application for pension, nor can he obtain leave of absence.

Without the special orders of Government duty after the date of such medical certificate does not count for pension.

53. The object of Rule 52 is to discourage tentative applications; but last grade employee, who in the opinion of the head of Office, is fit for light work may be retained in employment till his pension is sanctioned. Provided that his post is not filled up till he retires, and that his service counts only to the date of his medical certificate.
54. Rule 52 refers only to the retention in duty of an employee who has furnished a medical certificate in support of an application for invalid pension or gratuity. The retirement of an employee who is absent on leave other than earned leave when such certificate is submitted, may have effect from the termination of his leave and the employee may continue to draw leave allowance to the end of his leave.

Note:-Where employees are invalidated when on long leave / leave not due the date of invalidating shall be that following the expiry of the leave already granted and he counts as service qualifying for pension the period after the date of his invalidating certificate to the termination of his leave and the officer may continue to draw leave allowance to the end of his leave.

Section IV – Superannuation Pension

55. A superannuation pension is granted to an officer entitled or compelled, by rule, to retire at a particular age.

Section V – Retiring Pension

56. A retiring pension is granted to an employee who retires voluntarily after 20 years of qualifying service subject to the following conditions:-
 - (i) He shall give notice in writing to the appointing

authority or the pension sanctioning authority of his intention to retire at least three months before the date on which he wishes to retire:

Provided that the employee may make a request in writing to the appointing authority to accept notice of less than three months giving reasons therefor. On receipt of such request the appointing authority may consider it for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience the appointing authority may relax the requirement of notice of three months on the condition that the employee shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

[G.O.(P)786/81/Edn.,
dated 19/11/1981]

- (ii) If the retirement of the employee takes place while on leave not due, the retirement shall be effective from the date of commencement of leave and the leave salary paid, if any, shall be recovered either from the death-cum-Retirement Gratuity payable to him or otherwise;
- (iii) The person retiring voluntarily should make sure before applying for retirement that he has put in 20 years of qualifying service. The rounding of qualifying service prescribed in rule 57 is not permissible at this stage;
- (iv) Voluntary retirement of an employee shall become effective on the grant of permission to retire by the authority competent to make appointment to the post:

Provided that where the authority competent to make appointment to the post does not refuse to grant permission for retirement before the date on which the employee wishes to retire specified in the notice under clause (i), the retirement shall become effective from the date specified in the notice;

- (v) Permission to retire shall be given in all cases except those in which disciplinary proceedings are pending for imposition of a major penalty or the disciplinary

authority, having regard to the circumstances of the cases is of the view that the imposition of the penalty of removal or dismissal from service would be warranted or in which prosecution is contemplated or may have been launched in a Court of Law against the officer;

- (vi) Cases in which permission cannot be given by the appointing authority shall be referred to Government intimating the fact to the person concerned, before the date specified in the notice as the date on which the employee desires to retire;
- (vii) The actual periods of qualifying service as on the intended date of retirement of the Government Servant shall be increased by a period not exceeding 5 years subject to the conditions that the total qualifying service after allowing the weightage shall not exceed 30 years in cases of retirements prior to 1/7/1978 and 33 years in respect of retirements occurring on or after 1/7/1978 and the weightage shall not exceed the difference between the age of superannuation and that as on the date on which the voluntary retirement becomes effective. Fraction, if any, in the qualifying service so arrived at shall be rounded to the nearest completed year, that is, fraction of less than half year shall be ignored and half year and above shall be rounded to the next completed year;
- (viii) No notional fixation of pay shall be permissible on the basis of the qualifying service as increased under clause (vii);
- (ix) The amount of pension granted for the qualifying service as increased under clause (vii) shall be subject to the provisions of rules 2,3 and 59;
- (x) Government Servant shall be permitted to encash the leave at credit as on the date of request for voluntary retirement and / or to enter on eligible leave due (except leave not due) [* and Commuted leave] after applying for voluntary retirement. His salary for the period of admissible leave shall be calculated on the basis of the pay drawn by him immediately prior to the commencement of leave:

*Omitted
[G.O.(P)No.617/98/Fin.
Dated 10-2-1998]
(Takes effect from 26th
May 1987)

- (xi) This rule shall not apply to an employee who seeks voluntary retirement from Government service for being absorbed permanently in an autonomous body or a public sector undertaking.

*Note:- Government may also require an employee to retire any time after he has completed 30 years qualifying service provided that the appropriate authority shall give, in this behalf a notice in writing to the employee, at least three months before the date on which he is required to retire or three months pay and allowances in lieu of such notice.

*Omitted
[G.O.(P)No.614/98/Fin.
Dated 10-2-1998]

This amendment takes effect on and from
26/6/1978.
[G.O.(P)258/81/Fin., dated 29th April 1981]

GOVERNMENT DECISION

- (i) As the Government servant concerned will retire immediately on payment of pay and allowances in lieu of notice, he would be entitled to pension from the date of such retirement and the pension shall not be deferred till after the expiry of the period of three months for which he is paid pay and allowances. In other words, pay and allowances given in lieu of the notice period would be in addition to pension for the said period.
- (ii) The Government Servants who are given pay and allowances in lieu of the notice period are entitled to House Rent Allowance and other allowances at the rates at which they were drawing the allowances immediately before retirement subject to the certificates prescribed in the relevant rules for the purpose of grant of such allowances.
- (iii) The payment of pay and allowances in lieu of the notice period should be made simultaneously with the order of retirement.

[G.O.(P)31/83/Fin.
Dated 12-1-83.]

- (iv) The pay and allowances to be given in lieu of the notice period would be the pay and allowances, drawn by him immediately before retirement. Since he would stand retired immediately on payment of pay and allowances, the question of taking into consideration the date of increment does not arise.
- (v) The three months' pay and allowances given in lieu of notice are "Salary" and therefore, income tax is required to be deducted.
- (vi) The Government servant would stand retired immediately on payment of three months' pay and allowances in lieu of the notice period and will not be in service thereafter. Therefore, the question of counting any period subsequent to the date of such retirement for purposes of pension etc., does not arise.

**56(A) At any time after a Government employee has completed thirty years of qualifying service, he may be required by the appointing authority to retire in the public interest, provided that the appointing authority shall give in this behalf, a notice in writing to the Government Servant at least 3 months before the date on which he is required to retire in the public interest or 3 months pay and allowances in lieu of such notice.

Note:- In order that the powers vested in the appointing authority are exercised fairly and impartially and not arbitrarily the following guidelines must be followed.

**[G.O.(P)
No.614/98/Fin.
Dated 10-02-1998]

- (1) The criteria, to be followed by the appointing authority are:-
 - (a) Government employees whose integrity is doubtful will be retired.
 - (b) Government employees who are found to be ineffective will also be retired. The basic consideration in identifying such employee shall be the fitness/competence of the employee to continue in the post, which he is holding. If he is not found fit to continue in his present post, his fitness/competence to continue in the lower post from where he had been previously promoted, shall be considered.
 - (c) While the entire service record of an officer shall be considered for the purpose, no employee shall be retired on grounds of ineffectiveness if his service during the preceding 5 years or where he has been promoted to a higher post during that 5 years period, his service in the higher post has been satisfactory.
 - (d) No employee shall ordinarily be retired on ground of ineffectiveness if in any event; he would be retiring on superannuation within a period of 1 year from the date of consideration of his case.
- (2) Where it is proposed to (retire a Government Servant) in exercise of the powers conferred by this rule, the appointing authority shall record its opinion in the file that it has formed its opinion and that it is necessary to retire the Government Servant in pursuance of the above rule, in public interest such opinion shall not arbitrary or based on collateral grounds.

- (3) The rules relating to premature retirement shall not be used,
 - (a) To retire on grounds of specific acts of misconduct, as a short cut to initiating formal disciplinary proceedings or
 - (b) For reduction of surplus staff or as a measure of effecting general economy without following the rules and instructions relating to retirement.
- (4)
 - (a) In case the appointing authority comes to the conclusion that the officer is not fit for being retained in the present post, but could be retained in the next lower post from which he was promoted, a notice shall be served in such a case on the employee retiring him from service in pursuance of the provision of the relevant rule. Simultaneously it may be explained to him in a covering letter that his continuance in service after the completion of 30 years of service could be considered if he is willing to be reverted to the lower post, held by him previously. In case he indicates his willingness to work in the lower post and gives a written request for being so reverted, he may be retained in service and continued in the lower post.
 - (b) Employees who seek reversion to lower posts in lieu of premature retirement shall be made eligible for consideration for promotion after they have put in a service of two years in the lower post along with others in accordance with the normal rules by the D.P.C. or other selecting authority on the basis of subsequent records in the lower post.

- (5) Procedure for consideration of representation:
- (i) A Government employee who has been served with a notice/order of premature retirement under the provision mentioned above, may submit a representation within three weeks from the date of service such notice/order.
 - (ii) On receipt of the representation the appointing authority should examine the same to see whether it contains any new facts or any new aspect of a fact already known, but which was not taken into account at the time of issue of notice/order of premature retirement. After this examination, the case shall be placed within 3 months from the date of receipt of such representation before Government for final decision.

RULING No 1

The power to retire an employee under this rule is exercisable by the authority competent to fill the appointment held by the employee. But orders permitting an employee to retire after twenty years qualifying service or orders requiring an employee to retire after thirty years qualifying service should as a rule not be issued until after the fact that the employee has indeed completed the required qualifying service has been verified in consultation with the Accountant General.

RULING No.2

An employee who has elected to retire under this rule and has given necessary intimation to that effect to the competent authority, shall be precluded from withdrawing his election subsequently except with the sanction of the Government under the recommendation of the authority competent to fill the appointment, provided his request for withdrawal is made within the intended date of his retirement.

CHAPTER – V
Section I – Amount of pension – General rules

57. The amount of pension that may be granted is determined by the length of service as set forth in Rules 64 to 70. Fraction of a year, if any, in the service will be rounded to the nearest 1 completed year, i.e., fractions less than half year, will be ignored and half year and above rounded to the next completed year:

Provided that for purposes of minimum service (i.e., 10 years) and maximum service (i.e., 30 years) for pension, fraction of less than a half year, if any, in the qualifying service above 9 years and 29 years respectively will be rounded to the next completed years, i.e., 10 years or 30 years as the case may be.

Note-1. The term “pension” includes gratuity, death-cum-retirement gratuity and family pension also.

Note-2. The grant of a compassionate allowance being an “act of grace” the grant of any further concession in the shape of rounding fraction of a year will not be allowed.

58. Pension shall be fixed in whole rupees, fraction, if any, in the calculation of pension according to the rules being rounded off to the next higher rupee.

Note- The term “pension” includes gratuity, death-cum-retirement gratuity, compassionate allowance and family pension also.

59. Award of full pension – (a) The full pension admissible under this rule is not to be given as a matter of course, or unless the service rendered has been really approved.

(b) If the service has not been thoroughly satisfactory, the Government may make such reduction in the amounts as they think proper.

Note.1- Government may review their orders if the affected employee makes a request within a period of three months from the date of orders.

Note.2- This rule does not operate to authorize a reduction of ordinary pension either to nothing or to a nominal amount.

RULING No.1

1. The power to reduce the pension under this rule has not been delegated by Government to subordinate authorities.
2. If a subordinate authority considers that it is open to question whether the full pension admissible under rules should be granted to an employee owing to his unsatisfactory character and conduct, the pension application shall be submitted to the Government for orders with a concise statement of the unfavorable circumstances appearing against that employee and a sufficient explanation thereof to enable the Government to form an opinion as to the propriety of reducing the pension.
3. Though Rule 59 (b) does not provide for an enquiry before taking action, the person affected may be given an opportunity of being heard to satisfy the principles of natural justice. A detailed enquiry is not necessary for reducing the pension, under this rule. But before ordering a reduction of pension the employee concerned may be given an opportunity to explain and vindicate himself as for instance when irregularities are detected after retirement and departmental proceedings are not feasible under Rule 3 *ibid*.

RULING No.2

Reduction of pension in the case of retired employees cannot be ordered under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960. In their case Rule 59 (b) of this Part is to be applied. No elaborate enquiry is necessary. But the retired employee concerned should be given an opportunity to explain and vindicate himself.

[G.O.(P)4/69/Fin., dated
2nd January 1969]

RULING No.3

In cases where the Government orders reduction of pension under Rules 2,3,6 or 59 (b) of this Part it should be effected in whole rupees only so that the resultant pension may be paid in whole rupees even after effecting reductions.

[G.O.(P)457/67/Fin.,
dated 20th October
1967]

GOVERNMENT DECISIONS

1. In the case of an employee who is compulsorily retired as a measure of penalty and sanctioned a reduced pension in accordance with the provisions of Rule 6 a further reduction under this rule may not be made.
2. (a) This rule cannot be used directly to effect a penal recovery, but Government are justified in making proof of a specific instance of fraud or negligence by an employee, the grounds for a finding that his service has not been thoroughly satisfactory within the meaning of this rule for the purpose of reducing his pension.
(b) The measure of the reduction in the amount of pension made under this rule should be the extent by which the employee's service as a whole has failed to reach thoroughly satisfactory, standard and any attempt to equate the amount of reduction with the amount of loss caused to Government is incorrect.
(c) This rule contemplates permanent reduction in the amount of pension ordinarily admissible and does not admit of the reduction of the pension payable in respect of any one particular year.
3. Minimum pension is fixed in consideration of the bare subsistence needs and given a delinquent officer a pension sufficient to maintain a subsistence level, will not therefore be misplaced leniency. Government have, therefore, decided that minimum pension will be admissible even in cases where pension is ordered to be reduced as a punishment.
60. Limitation – An employee entitled to pension may not take a gratuity instead of pension.
61. In the case of an employee who has any service under the Government of India or of any other State, pension should not be fixed until it has been ascertained whether any pension is payable by the Government of India or other State Governments.

[G.O.(P)255/71/Fin.,
dated 12th May 1971]

**Section II – Pay and allowances reckoned for pension,
emoluments and average emoluments**

62. The term ‘emoluments’ when used in this Part means the emoluments, which the employee was receiving immediately before his retirement and comprises only the following # [G.O.(P)No.34/2005/Fin., dated 18/1/05] (w.e.f. 14th November, 1966)

(a) Pay as defined in Rule 12 (23) in Part I of these rules and / or pay of the appointment under Rule 9 or 31 of the Kerala State and Subordinate Service Rules.

(b) Dearness Pay the employee was actually in receipt of.

** (c) Fees or commission, if they are authorized emoluments of an appointment in addition to pay. In this case ‘emoluments’ means the average earning for the last six months of service.

** Deleted Vide G.O.(P) No. 410/89/Fin., dated 29/9/89.

**Note.1- The definition of the term ‘Emoluments’ as used in clause (c) of this rule applies to the case of gratuity only and not to pension. In cases in which fees or commission are drawn in addition to pay, pension should be calculated on “average emoluments” as defined in Rule 63.

Note. 2- In the case of an employee, who has submitted medical certificate of incapacity for further service while on leave other than earned leave, the period of leave up to the date of its termination when that is later than the date of the medical certificate should be taken into account for the purpose of calculation of average emoluments.

Note. 3- In the case of an employee who has been granted leave preparatory to retirement and who during the currency of the leave earns an increment which is not withheld, the employee is entitled to count the pay which he would have drawn had he remained on duty as “emoluments” even though the increase in pay is not actually drawn during leave.

[Deleted with effect from 1st April 1973 – vide G.O.(P) 114 /73/ Fin., dated 10th April 1973]

*Note.4- In the case of notional promotions, emoluments will be calculated based on the pay, the officers concerned are eligible for as a result of the notional fixations of Pay eventhough they may not have actually drawn the same.

*Addition:
G.O.(P) 338/85/Fin.,
dated 15th June,1985.

Note.5- Notional pay consequent on change in scale of pay due to general pay revision or otherwise shall be reckoned for calculation of death – cum-retirement gratuity.

[G.O.(P)
No.81/2003/Fin.
dated 4/2/03]
w. e. f. 15-6-85

*Note.6- The term “emoluments” for the purpose of calculation of Gratuity will include basic pay and dearness allowance on the date of retirement.

*[G.O.(P) 29/06/Fin.,
dated 19-1- 2006]
w.e.f. 1-3-97

RULINGS

1. Special pay admissible to persons on deputation from the State Service to other State Governments or to the Central Government or from one Government Department to another shall be counted as emoluments for the purpose of pension. The pay drawn in “Foreign Service” by an officer deputed under foreign service conditions in chapter XI, Part I, K.S.R. shall not however be treated as emoluments for pension. In such cases the pay he would have drawn under Government had he not been on Foreign Service alone shall be treated as emoluments.

[G.O.(P) 295/79/Fin.,
dated 22nd September
1976]

@2. Additional pay for holding full additional charge of one or more posts under Rule 53, Part I, K.S.R. treated as class II Special Pay will be counted as “emoluments” for the purpose of pension.

@deleted
[G.O.(P)No.254/04/Fin
dated 29/5/04]

63. The term ‘Average emoluments’ means the average calculated upon the last twelve months of qualifying service.

Note 1. – If during this period an employee has been absent from duty on leave with or without allowances which qualify for pension or having been suspended but reinstated in service without forfeiture of service, his emoluments for the purpose of ascertaining the average will be taken at what they would have been had he not been absent from duty or suspended provided that the benefit of pay in any officiating post will be admissible only if it is certified that he would have continued to hold that officiating post but for leave or suspension.

Note.2.- In the case of Press employees whose service qualifies under Rules 17, ‘Average emoluments’ means the average earnings of the last twenty four months in service.

Note.3- If during the last 10 months of service any spell of service non-qualifying for pension falls, the above spell of service should be omitted in the calculation of the average and equal period before the 10 months should be included. *For computation of average emoluments, a calendar month is taken as having 30 days irrespective of the actual number of days in any month including the month of February. For computing emoluments for split days of a month, emoluments is to be calculated as proportionate to emoluments of 30 days.

*[G.O(P)
No.1055/01/Fin.,
dated 24/9/01.]

Note.4- Except as provided in Notes 1 and 2 above, only emoluments actually received can be included in the calculation. For example when an employee is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculation. But in the case of retrospective confirmations, promotions, reorganizations, regradations, and revisions of scale of pay, average emoluments will be calculated based on the pay, the officers concerned are eligible for, as a result of the retrospective confirmations, promotions, reorganizations, regradations, or revisions of scales of pay eventhough they may not have actually drawn the same.

Note.5- If an employee whose period of suspension during the last 10 months of qualifying service is treated as duty for all purposes, but for payment of full pay and allowances, and who retires on superannuation or dies while under suspension or in whose case the punishment of reduction in pay is imposed as a result of the disciplinary proceedings initiated against him, the emoluments for the purpose of calculating the average for pension, family pension and death-cum-retirement gratuity shall be taken at what they would have been

[GO.(P) No.620/98/Fin.,
dated 10-2-1998.
w.e.f. 1-2-1976]

had he not been suspended;

provided that the benefit of pay in any officiating post shall be admissible only if it is certified that he would have continued to hold that officiating post but for the suspension.

Section III – Amount of Pension

64. The amount of gratuity, superannuation, invalid compensation and retiring pension will be the appropriate amount set out below:

| Completed years of qualifying service | Scale of gratuity or pension | Maximum pension admissible in rupees per annum |
|---------------------------------------|-------------------------------------------|------------------------------------------------|
| | (A) Gratuity | |
| 1 | 1 month's emoluments | .. |
| 2 | 2 month's emoluments | .. |
| 3 | 3 month's emoluments | .. |
| 4 | 4 month's emoluments | .. |
| 5 | 5 month's emoluments | .. |
| 6 | 6 month's emoluments | .. |
| 7 | 7 month's emoluments | .. |
| 8 | 8 month's emoluments | .. |
| 9 | 9 month's emoluments | .. |
| Completed years of qualifying service | Scale of gratuity or pension | Maximum pension admissible in rupees per annum |
| | (B) Pension | |
| 10 | 10/80 th of average emoluments | 2400 |
| 11 | 11/80 th of average emoluments | 2640 |
| 12 | 12/80 th of average emoluments | 2880 |
| 13 | 13/80 th of average emoluments | 3120 |
| 14 | 14/80 th of average emoluments | 3360 |

| | | |
|----|-------------------------------------------|------|
| 15 | 15/80 th of average emoluments | 3600 |
| 16 | 16/80 th of average emoluments | 3840 |
| 17 | 17/80 th of average emoluments | 4080 |
| 18 | 18/80 th of average emoluments | 4320 |
| 19 | 19/80 th of average emoluments | 4560 |
| 20 | 20/80 th of average emoluments | 4800 |
| 21 | 21/80 th of average emoluments | 5040 |
| 22 | 22/80 th of average emoluments | 5280 |
| 23 | 23/80 th of average emoluments | 5520 |
| 24 | 24/80 th of average emoluments | 5760 |
| 25 | 25/80 th of average emoluments | 6000 |
| 26 | 26/80 th of average emoluments | 6240 |
| 27 | 27/80 th of average emoluments | 6480 |
| 28 | 28/80 th of average emoluments | 6720 |
| 29 | 29/80 th of average emoluments | 6960 |
| 30 | 30/80 th of average emoluments | 7200 |

65. Notwithstanding anything in rule 64, in the case of Drivers and Vehicle Examiners of the State Transport Department, the amount of gratuity, superannuation, invalid compensation and retiring pension will be the appropriate amount set out in the following table. The concession as contemplated in this rule will be applicable to Drivers who are directly recruited as such and to Vehicle Examiners promoted as such from the category of Drivers referred to above.

| Years of qualifying service | Amount of pension or Gratuity |
|-----------------------------|-------------------------------|
| (A) Gratuity | |

| | |
|--------------------|-------------------------------------------|
| 1 | 1 month's emoluments |
| 2 | 2 month's emoluments |
| 3 | 3 month's emoluments |
| 4 | 4 month's emoluments |
| 5 | 5 month's emoluments |
| 6 | 6 month's emoluments |
| 7 | 7 month's emoluments |
| 8 | 8 month's emoluments |
| 9 | 9 month's emoluments |
| (B) Pension | |
| 10 | 10/80 th of average emoluments |
| 11 | 11/80 th of average emoluments |
| 12 | 12/80 th of average emoluments |
| 13 | 13/80 th of average emoluments |
| 14 | 14/80 th of average emoluments |
| 15 | 16/80 th of average emoluments |
| 16 | 17/80 th of average emoluments |
| 17 | 18/80 th of average emoluments |
| 18 | 19/80 th of average emoluments |
| 19 | 20/80 th of average emoluments |
| 20 | 22/80 th of average emoluments |
| 21 | 24/80 th of average emoluments |
| 22 | 26/80 th of average emoluments |
| 23 | 28/80 th of average emoluments |
| 24 | 30/80 th of average emoluments |

Section IV – Death-cum-retirement gratuity

66. An employee who has completed five years of qualifying service may be granted additional gratuity not exceeding the amount specified in Rule 68 below, when he retires from service, and is eligible for a gratuity or pension under Section III.
67. If an employee who has completed five years of qualifying service dies while in service, a gratuity not exceeding the amount specified in rule 68 below may be paid to the person or persons on whom the right to receive the gratuity is conferred under Section V or, if there is no such person, to the surviving members of the family as defined in Rule 71 in the manner indicated below:

- (i) If there are one or more surviving members of the family as in items (a), (b), (c) and (d) of Rule 71, it
- *[G.O(P)387/67/Fin.,
dated 29th August

may be paid to all such members, other than any such member who is a *divorced / widowed daughter in equal shares.

1967]

- (ii) If there are no such surviving members of the family as at (i) above, but there are one or more surviving *divorced / widowed daughters and / or one or more surviving members of the family as in items (e), (f), (g), (h) and (i) of Rule 71, it may be paid to all such members in equal shares.

*[G.O.(P)387/67/Fin.,
dated 29th August
1967]

- ** (iii) In the absence of any surviving eligible member of the family as defined in rule 71, death-cum-retirement gratuity shall be paid to eligible legal heirs in equal shares on production of a succession certificate from a Court of Law.

**[G.O.(P)301/85/Fin.,
dated 29th May
1985]

Note 1 – The eligibility of a person to receive, the amount or share of death-cum-retirement gratuity should be determined with reference to the facts as they stand on the date of death of the Government employee and any subsequent event (e.g. remarriage of widow, marriage of an unmarried daughter, sister, etc.) will not affect that entitlement. If, however, a person who was entitled to receive the death-cum-retirement gratuity on the date of the death of Government employee dies before getting payment, the amount or share of gratuity should be redistributed in the manner indicated below:-

- (a) In case of ‘no nomination` the amount of share of the gratuity admissible to the person concerned should be distributed in equal shares among the surviving eligible members of the family of the deceased Government employee’.
- (b) If the person concerned was a nominee, the right to the amount or share of death-cum-retirement gratuity will pass on to the alternate nominee or nominees. In case there is no alternate nominee the amount or share of gratuity should be paid in equal shares to the co-nominees of the person concerned, if any, and failing that it should be distributed in equal shares among the surviving eligible members of the family of the deceased Government employee as in (a) above.

*Note. 2- Death-cum-retirement gratuity due to a Government servant who dies after retirement shall be paid to the members of the family in the same manner as laid down in this rule, provided the eligibility of a person to receive the amount in full or a share thereof should be determined with reference to the facts as they stand on the date of retirement.

*Insertion
G.O(P)147/85/Fin.,
dated 12/3/1985.

Note.3- The after born child of deceased employee is also eligible to get his/her share of Death-cum-Retirement gratuity.

GOVERNMENT DECISION

It has been brought to the notice of the Government that delay is caused in the payment of the share of death-cum-retirement gratuity due to a major surviving member of the family of the deceased employee where, in the absence of valid nomination, one major member of the family authorises another to receive the share due to him. The share due to one gratuitant can be disbursed to another gratuitant according to the wishes of the former, so long as he is not actually relinquishing his right to a share of gratuity, but only authorising another member or members to receive payment on his behalf. It has been decided that in case where a gratuitant desires another gratuitant to receive his share on his behalf, a power of attorney in the accompanying form given below should be insisted upon from the former. The power of attorney need not be registered in such cases, but may be got attested by the Tahasildar concerned as required by law. All pension sanctioning authorities are requested to follow the above procedure in future.

“Be it known that Ison of
..... occupationresident
ofandson of
.....occupation.....Resident
ofetc., do hereby appoint
Shri./Smt.....son / daughter of
.....occupation.....Reside
nt ofmy/our attorney in my name and on
my behalf to collect all the amounts as may appear to be
due to me from the Government of Kerala towards share

of(H.E. details of fund whether Gratuity etc.) payable in respect of late Shri.....(H.E. address of the deceased Government employee) and to realize and receive the same and give receipt for that amount and generally to do all that may be necessary for the said purpose.

AND hereby agree that all acts, deeds and things lawfully done by my said attorney shall be constructed as acts, deeds and things done by me and I undertake to ratify and confirm all and whatsoever that my said attorney shall lawfully do or come to be done for me by virtue of the power here by given.

In witness whereof Ihave signed the power of attorney onin the presence of witness hereinafter mentioned.

[Circulars
No.2/70/Fin., dated
9th January 1970 and
No.126/70/Fin., dated
5th October 1970]

Executant (s).....

Witnesses:-

68. The amount of gratuity will be one half of the “emoluments” of an employee for each completed year of qualifying service subject to a maximum of 15 times the “emoluments”. In the case of invalid pension or in the event of death of an employee while in service, the gratuity will be subject to a minimum of 12 times the emoluments of the employee last drawn. The maximum amount of gratuity under this rule will, however, be limited to Rs.2.80 lakhs*.

* [G.O.(P)29/06/Fin
dt.19-1-2006]
w.e.f. 1-3-97

The family of employees who die before completing 5 years qualifying service will also be eligible for a gratuity equal to 6 times the emoluments of the officer at the time of his death except in cases in which death occurs in the first year of service when the gratuity admissible will be equal to two months’ emoluments.

69. If an employee who has become eligible for a pension or gratuity under Section III dies after he has retired from service, and the sums actually received by him at the time of death on account of such gratuity or pension together with the gratuity granted under Rule 66 are less

than an amount equal to 12 times his 'emoluments' a gratuity equal to the deficiency may be granted to the person or persons specified in Rule 67. This benefit will not be admissible if the employee had commuted a portion of his pension before death. (Vide Rules in Appendix X)

RULING

The expression "sums actually received" occurring in Rule 69 has been used to indicate that all the amounts received by the employee by way of pension or gratuity should be taken into account and, accordingly, in addition to pension and gratuity drawn by the deceased employee, the temporary increase in pension should also be taken into consideration for determining the amount of residuary gratuity payable under Rule 69.

70. The 'emoluments' for the purpose of the section will be reckoned in accordance with Rule 62 provided that if the emoluments of an employee have been reduced during the last twelve months of his service otherwise than as a penalty, 'Average emoluments' as defined in Rule 63 may at the discretion of the authority which has power to sanction the gratuity under this section, be treated as the 'emoluments'.

Section V – Nominations

71. 'Family' for the purpose of this section will include the following relatives of the employee:
- (a) Wife, in the case of a male employee;
 - (b) Husband in the case of female employee;
 - (c) Sons;
 - (d) Unmarried / divorced *widowed daughters;
 - (e) Brothers below the age of 18 years and unmarried or widowed or @ divorced sisters;
 - (f) Father;

*[G.O(P)387/67/Fin.,
dated 29th August
1967]
@[G.O.(P)
343/72/Fin., dated 7th
August 1972]

- (g) Mother;
- (h) Married daughters; and
- (i) Children of a pre-deceased son.

Note. 1- (c) and (d) will be include step children, adopted children and posthumous children, (f) and (g) will include adoptive parents in the case of individuals whose personal law permits adoption.

Note.2- (h) will include married adopted and / or step daughters.
 [This shall have effect from 22nd December 1964]

G.O(P) 216/67/Fin.,
 dated 7th June 1967]

72. An employee shall make a nomination conferring on one or more persons the right to receive any gratuity that may be sanctioned under Rules 67 and 69 and any gratuity which having become admissible to him under Rule 66 has not been paid to him before death

While a nomination as also any change therein will normally be made by an employee during service, he may make a nomination after retirement but before getting payment, in case he so decides:

Provided that, if at the time of making the nomination the employee has a family the nomination shall not be in favour of any person or persons other than the members of his family.

RULING

A registered 'will' proved by letters of administration or probate will also be accepted as a valid nomination in the event of the death of an employee without making a nomination under this rule in the form prescribed by Rule 76(a), provided that the employee had no family at the time of death.

*72 A (1) The nuns in Catholic Convents or Convents of similar monastic orders cease to have family on their entry into the religious order and are therefore not eligible for family pension so long as they continue to be in the religious order.

*Insertion
 G.O(P)726/83/Fin.,
 dated 14/11/1983.

(2) Subject to the provisions in Rule 138, the death-cum-retirement gratuity and arrears of pension, if any, due to a deceased nun shall be payable to the person nominated by her to receive the benefits, and in the absence of such a nomination, the Mother Superior of the convent to which the nun belongs or head of the concerned religious institutions shall be the person entitled to receive the amount.

**Note- This rule shall be deemed to have come into force on the 1st day of January 1975.

**Addition:
G.O.(P)No.302/85/
Fin., dated 24/5/1985.

73. If an employee nominates more than one person under Rule 72 he shall specify in the nomination the amount or share payable to each of the nominees in such a manner as to cover the whole amount of the gratuity.

74. An employee may provide in a nomination-

(a) In respect of any specified nominee, that in the event of his predeceasing the employee, the right conferred upon that nominee shall pass to such other member of the employee's family as may be specified in the nomination;

(b) That the nomination shall become invalid in the event of the happening of a contingency, specified therein.

75. The nomination made by an employee who is not married shall become invalid on his / her getting married.

[G.O.(P)No.
523/79/Fin.,
dated 8th June, 1979]

76. (a) Every nomination shall be in such one of the Forms *4B or Form 4D as may be appropriate in the circumstances of the case.

*Substitution
G.O.(P) 32/84/Fin.,
dated 13/1/1984.

(b) An employee may at any time cancel a nomination by sending a notice in writing to the appropriate authority provided that the employee shall, along with such notice, send a fresh nomination made in accordance with this section and a certificate as follows:-

“This nomination supersedes the nomination made me earlier on(date).....which stands cancelled.”

77. Immediately on the death of a nominee in respect of

whom no special provision has been made in the nomination under clause (a) of Rule 74 or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of that rule or rule 75 the employee shall send to the appropriate authority a notice in writing formally canceling the nomination, together with a fresh nomination made in accordance with this section.

78. Every nomination made, and every notice of cancellation given by an employee under this section, shall be sent by him, if gazetted, to audit office and if non-gazetted, to the head of his office.

Immediately on receipt of a nomination from a non gazetted employee, the head of the office shall countersign it indicating the date of receipt and keep it under his custody.

RULING No 1

When nominations are received from non-gazetted employees they should be countersigned by the head of office as required under the rules and be kept in a separate confidential file which should be lodged for safe keeping with the head of office or other responsible employee nominated by him for the purpose. A clear note should also be made in the Service Book of the employee as to what nomination and related notices have been received from him and where they have been lodged for safe custody.

RULING No. 2

An acknowledgment to the employee concerned confirming that the nomination made by him and the related notices have been duly received and placed on record should invariably be sent to every employee making or cancelling a nomination, by the audit office in the case of gazetted government employees and the head of the office in the case of non-gazetted employees. All employees should be advised that it would be in the interest of their nominee if they would preserve copies of the nomination made by them and of the related notices

and acknowledgements either in their personal custody or in safe deposit along with their other important personal documents, etc., where they may be expected to come into the possession of the beneficiaries in the event of their death.

79. Every nomination made, and every notice of cancellation given by an employee shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in Rule 78.

Section VI – Non-contributory family pension

- *80. The scheme of family pension applicable under the Kerala Service Rule (1959) shall hereinafter be known as “Non-contributory Family Pension”. * [G.O.(P)55/77/Fin., dated 12th February 1977]

A non-contributory family pension, not exceeding the amount specified to Rule 82/82A shall be granted to the family of an employee who is not governed by the rules in Section VII “Contributory Family Pension” and who dies, whether while in service or after retirement after completion of not less than 20 years’ qualifying service, for a period of ten years:

Provided that the period of payment of family pension will in no case extend beyond a period of 5 years from the date on which the deceased employee retired or on which he would have retired on a superannuation pension in the normal course, according as the death takes place after retirement or while the employee is in service:

Provided further that the family pension shall not be granted to a widow /widower who has another living husband /wife at the time of the death of the employee. This will have effect from the date of this order.

Pension sanctioning authority will also be prepared, to consider, in exceptional circumstances, the award of family pension to families of employees who may die after completing less than 20 years qualifying service but not less than 10 years qualifying service.

Note.1- The “exceptional circumstances” referred to above are cases in which the amount receivable by the family by way of Insurance, Provident Fund and Death-cum-retirement gratuity of the deceased employee together

does not exceed 48 times the monthly pay of the employee at the time of his death, or if the cash assets exceed that amount, the education of the children (child) of the deceased employee is not likely to be completed within a period of five years.

Explanation:- The term 'Education' includes apart from Primary/Secondary Education, also higher education including Medical, Scientific and Technical Education.

In the event of death of an employee after his retirement, the pay and the cash assets by way of insurance, provident fund and death-cum-retirement gratuity received or receivable at the time of his retirement shall be reckoned.

Note.2- In the case of Drivers and Vehicle Examiners of the State Transport Department whose cases are governed by Rule 65, 16 years qualifying service will be deemed to be sufficient instead of 20 years for the purposes of this rule.

RULING

In the case of an employee who dies while on leave preparatory to retirement on a retiring pension, the period of 5 years for the purpose of the grant of family pension should be reckoned from the date on which the employee should have retired on a superannuation pension in the normal course, and not the intended date of retirement on a retiring pension which did not however actually come about.

*81. Notwithstanding the provision regarding the period of eligibility for family pension contained in Rule 80, family pension in respect of –

*[This takes effect from 1st April 1964 – vide G.O.(P)108/65/Fin., dated 29th March 1965. Circular Memorandum No.47/65/Fin., dated 31st August 1965 and G.O.(P) 456/67/Fin., dated 20-10-1967]

(i) widows/widowers and minor children actually in receipt of family pension on 31st March 1964; and

(ii) wives / husbands and minor children of the government employees who retired before 1st April

1964 and on whose death on or after 1st April 1964 but within five years of the date of retirement, become entitled to family pension under the rules in this section, will be payable for a further period up to:-

- (a) the date of death or remarriage whichever is earlier, in the case of widows/widowers; and
- (b) the date of attaining majority in the case of children (until marriage, if earlier, in the case of daughters):

Provided that in the event of the happening of a contingency mentioned above during the extended period, the family pension ceases to be payable to any other member (including minor children of the Government employee's family)

Provided further that the provision of this rule shall not apply to a widow / widower who has another living husband / wife. This will take effect from 1st April 1964.

[G.O.(P)55/77/Fin.,
dated 12th February
1977]

(iii) parents of the deceased employee actually in receipt of family pension under Rule 80 above, on 31st March 1964 will also be entitled to a continued payment of family pension for a period up to the date of death provided.

- (a) that they were solely or partly dependent on the deceased employee for maintenance and whose independent income is less than Rs.240 per annum;
- (b) that they had no other living sons or daughters who are well placed; and
- (c) that only one family pension will be payable even if there may be claim for family pension on account of death of more than one son or daughter; and
- (d) subject also to the production of an annual certificate (in the Form in Annexure II to Rule 90 of these rules) that the financial position of the family pensioner has not improved, from the Tahasildar or a Class I or Class II officer of the

[Takes effect from 20th
March 1969 – G.O.(P)
356/72/Fin., dated 11th
August 1972 read with
G.O.(P)696/72/Fin.,

locality.

dated 28-12 -1972].

82. The amount of non-contributory family pension under Rule 80 will be :-

(a) in the event of death while in service, one half of the pension which would be admissible to the employee had he retired on the date following the date of his death; and

(b) in the event of death after retirement, half the pension sanctioned for him at the time of retirement:

Provided that the amount of family pension will be subject to a maximum of Rs.150 per mensem and a minimum of Rs. 30 per mensem subject to the further condition that the minimum pension, will not in any case exceed the full amount of the pension, sanctioned to the deceased employee at the time of his retirement or in case he dies while in service the pension that would have been admissible to him if he had retired on pension on the date following the date of his death:

*Provided also that in case where family pension is less than Rs.20 per mensem the minimum amount of family pension will be raised to Rs.20 per mensem. This will take effect from 1st October 1967, i.e., on family pension due for payment in November 1967.

*[G.O.(P)504/67/Fin.,
dated 21st November
1967]

The minimum rate has been raised to Rs.25 and Rs.40 with effect from 7th June 1971 and 1st October 1971 respectively.

[G.O.(P)310/71/Fin.,
dated 7th June 1971 and
G.O.(P) 625/71/Fin.,
dated 19th October
1971]

In cases where an employee mentioned in clause (b) had commuted a part of his pension before his death, the uncommuted value that part of pension will be deducted from the family pension calculated as above.

82-A The amount of non-contributory family pension payable for the extended period mentioned in Rule 81, will continue to be the same as previously admissible provided it is Rs. 20 per mensem. Where the amount of family pension previously admissible exceeds Rs. 20 per mensem the amount of family pension payable for the extended period will be equal to half of such amount, subject to a minimum of Rs. 20 per mensem.

Rounding off to the next higher rupee laid down in Rule 58 is not applicable in this case.

[This takes effect from 1st April 1964 –vide G.O.(P)108/65/Fin., dated 29th March 1965]

*The minimum rate of family pension admissible under this Rule will be Rs.20 per mensem with effect from 1st October 1967, Rs.25 per mensem with effect from 7th June 1971 and Rs. 40 per mensem with effect from 1st October 1971.

*[G.O.(P) 504/67/Fin., dated 21-11- 1967, G.O.(P)310/71/Fin., dated 7-6-1971 and G.O.(P)625/71/Fin., dated 19-10-1971]

GOVERNMENT DECISION

The benefits in Rules 81 and 82 A will be extended also to the families of the pensionable employees of the Devaswom Board and other Local Fund Institutions governed by the Pension Rules in the Kerala Service Rules and in respect of whom pensionary liability has been taken over by Government.

83. “Family” for the purposes of this section will be as defined in Rule 71 excluding items (h) and (i).
84. No pension will be payable under this section –
- (a) to a person mentioned in clause (b) of Rule 85 without production of reasonable proof that such person was dependent on the deceased employee for support.
 - (b) to an unmarried female member of an employee’s family, in the event of her marriage;
 - (c) to a widowed female member of an employee’s family, in the event of her marriage;
 - (d) to a brother of an employee on his attaining the age of 18 years;
 - (e) to a person who is not a member of an employee’s family.
85. Except as may be provided by a nomination under Rule 86 –
- (a) A pension sanctioned under this section will be allowed -

- (i) to the eldest surviving widow, if the deceased is a male employee or to the husband, if the deceased is a female employee.

Note- The expression “eldest surviving widow” occurring in sub-clause (1) of clause (a) shall be construed with reference to the seniority according to the date of marriage with the employee and not to the age of the surviving widows.

- (ii) failing the widow, or the husband, as the case may be, to the eldest surviving son;

- (iii) failing (i) and (ii) to the eldest surviving unmarried daughter;

- (iv) these failing, to the eldest widowed daughter: -

- (b) in the event of no pension becoming payable under clause (a) the pension may be granted -

- (i) to the father;

- (ii) failing the father, to the mother;

- (iii) failing the father and the mother, to the eldest surviving brother below the age of 18;

- (iv) these failing to the eldest surviving unmarried sister;

- (v) failing (i) to (iv), to the eldest surviving widowed sister.

86. If an employee who has completed 20 years' qualifying service desires that a pension that may be sanctioned under this section should be payable to any member of his family in any order to be specified by him he may make a nomination for the purpose in Form 5 indicating the order in which the pension should be payable to the members of his family; and to the extent it is valid the pension will be payable in accordance with such nomination, provided the persons concerned satisfy the requirements of Rule 84 at the time of the grant of the pension. In case the person concerned did not satisfy requirements of the said rule, the pension shall be granted to the person next lower in the order. The provisions of Rules 76 (b), 78 and 79 will apply in

respect of nomination under this rule.

- 87(a) A pension awarded under this section will not be payable to more than one member of an employee's family at the same time.
- (b) If a pension awarded under this section ceases to be payable before the expiry of the period mentioned in Rule 80 on account of death or marriage of the recipient or other causes, it will be regranted to the person next lower in the order mentioned in Rule 85 or to the person next lower in the order shown in the nomination made under Rule 86 as the case may be, who satisfies the other provisions of the section.
88. A pension sanctioned under this section will be tenable in addition to any extraordinary pension or gratuity or compensation that may be granted to the members of an employee's family under the existing Rules or Acts.
89. As in the case of grant of an ordinary pension, future good conduct of the recipient is an implied condition of every grant of a pension under this section. Government reserve to themselves the right withholding or withdrawing such a pension or any part of it, if the recipient be convicted of serious crime or be guilty of grave misconduct and Government's decision on such matters will be final.

Section VII – Contributory family Pension

90. The provisions in sub-rules 1 to 13 shall govern the grant of Family Pension under the Liberalised Family Pension Scheme hereinafter termed as "Contributory Family Pension".
- (1) The Contributory Family Pension scheme introduced with effect from the 1st April 1964 is applicable to all regular employees on pensionable establishments under the Government governed by the Kerala Service Rules.
- (a) who were in service on 1st April 1964 and had not opted out of it.

* Note:- All employees of the State Government who

* Insertion

were on or after the 30th September 1977 or who retired from service or after the date shall be entitled to the benefit of liberalised family pension.

G.O (P) 21/85/Fin.
dated 18-1-1985.

GOVERNMENT DECISION

Government employees who are appointed Members of the Public Service Commission and whose date of superannuation falls on a date after 1st April 1964 will automatically be governed by the Contributory family pension scheme in case they do not specifically opted out of it, provided they agree to surrender two month's emoluments from the death-cum-retirement gratuity.

[G.O.(MS)322/70/PD
., dated 7th September
1970 and
G.O(MS)820/71/Fin.,
dated 28th December
1971]

(b) who were governed by the old service Rule like (1) The Travancore Service Regulations, (2) The Cochin Service Regulations and (3) The Fundamental Rules (Madras), The Madras Pension Code and The Madras Manual of Special Pay and Allowances but opted to come over to the Kerala Service Rules including the rules under the Contributory Family Pension Scheme on or after 1st April 1964 and

(c) who entered service on or after 1st April 1964.

Note- The scheme is also applicable to:

(i) the families of the Government employees governed by the Workmen's Compensation Act; provided that the Workmen satisfy all the conditions of the scheme (see sub-rule 4D below also), and

(ii) @the families of full-time contingent employees and work charged employees who died between 1st April 1968 and the last date fixed for the exercise of option to come over to the regular establishment, without exercising the said option. * [Omitted. Takes effect on and from 1st October 1977].

@G.O.(P)33/70/Fin.
dated 14th January
1970.

G.O.(P)120/81/Fin.
dated 16th February
1981.

(iii) the families of the pensionable employees of the Travancore Devaswom Board, the pensionable employees of the Cochin Devaswom Board, the aided school teachers who have opted for Chapter XIV (e), Kerala Education Rules, the pensionable employees of certain Government Industrial concerns such as Kerala Soaps and Oils Limited,

Ceramic Concerns, Trivandurm Rubber Works, Corporation and Municipal employees governed by D.C.R.B. Rules (other than employees who were permanent in the Trivandrum Corporation on 17th August 1950 and in Municipalities in Travancore area on 1st April 1953, the employees who were permanent in the Trivandrum Corporation on 17th August 1950 and in Municipalities of Travancore area on 1st April 1953, the pensionable employees of Panchayats, the Melkanganom employees and the Mathilagam employees governed by the Kerala Service Rules and in respect of whom pensionary liability has been taken over by Government.

- (2) The scheme is not applicable to:-
- (a) persons who retired on or before 31st March 1964 but were re-employed on that date or thereafter,
 - (b) persons paid from Contingencies,
 - (c) workcharged staff,
 - (d) casual labourers,
 - (e) contract officers, and
 - (f) military pensioners who retired from military service on or after 1st January 1964, re-employed in State Service provided the families of such re-employed military pensioners are eligible for family pension from the Defence Department.

[This has effect from 1st April 1964 – G.O(P) 33/73/Fin., dated 29th January 1973].

Note- In respect of items (b) and (c) above see item (ii) under Note below sub-rule 1 also.

- (3) 'Contributory Family Pension' will be admissible in case of death while in service or after retirement on or after the 1st April 1964. In the case of death after retirement, the retired employee must have been at the time of death in receipt of compensation, invalid, retiring or superannuation pension or pension granted on compulsory retirement by way of penalty.

[G.O.(P) 390/80/Fin., dated 18th June 1980]

- (4) The rate of contributory family pension with effect

from 1st April 1964 will be as follows:-

| Pay at the time of death or Retirement | Monthly Family Pension |
|-------------------------------------------------|--------------------------------------------------------------------------|
| Above Rs.800 | 10 percent of pay subject to a maximum of Rs.150 and a minimum of Rs.90. |
| Up to and including Rs.800 but above Rs. 200 | 15 percent of pay subject to a minimum of Rs.50 and a maximum of Rs.90. |
| Up to and including Rs.200 but not below Rs.100 | 25 percent of pay subject to a minimum of Rs.30 |
| Below Rs.100 | 30 percent of pay subject to a minimum of Rs.20 |

Provided that where the monthly family pension admissible under these rules exceeds the service pension sanctioned to a retired government employee, the monthly family pension shall be limited to the amount of such service pension. (inclusive of temporary increase and ad hoc increase).

Note-1. No temporary increase will be admissible in respect of family pension granted under these rules.

Note- 2. The commutation of pension has no effect on the quantum of contributory family pension as the rate of family pension is based on the pay, which the government employee was drawing immediately before retirement and not on the pension sanctioned to him.

Note-3. The scheme does not debar a government employee / pensioner from drawing contributory family pension in addition to his pay or pension. In the event of death of the father and the mother, who were both government employees

the minor children will be eligible to draw two family pensions, subject to a total of Rs.150 per mensem, provided both the employees were governed by these rules.

- (4.A) In case an employee governed by these rules dies on or after 1st January 1966 while in service, the family pension shall be payable at 50 per cent of the basic pay (inclusive of dearness pay, if any) last drawn subject to a maximum of twice the family pension admissible at the above rates for a period of seven years from the date of death or till the date on which the employee would have reached the normal age of superannuation had he remained alive whichever period is shorter and at the ordinary rates thereafter till such period as provided in these rules.

Note- In the case of an employee who dies while on extension of service the date up to which the extension of service had been sanctioned to him before his death will be deemed to be the normal date of superannuation.

- (4.B) In case an employee who was in service on 31st March 1964 and had opted not to be governed by these rules died on or after 1st January 1966 without exercising option within such period as may be prescribed by Government to avail himself of the benefits of the scheme under these rules the family pension as liberalized with effect from 1st January 1966 (vide-sub-rule 4A) shall be payable to his family. *[Omitted. Takes effect on and from 1st October 1977] If the beneficiary gives a written consent for deduction of an amount equal to two months pay from the death-cum-retirement gratuity admissible.

[G.O.(P)120/81/Fin.,
dated 16th February
1981]

Note-1. The concessions allowed in sub-rules 4(A) and 4(B) above are not applicable if the Government employee had put in less than 7 years' continuous service prior to his death.

Note-2. In cases of death while in service on or after 14th November 1966 seven years' of service whether continuous or not will be taken as seven years of qualifying service.

- (4.C) (1) In the case of employees who die while in service or after retirement on or after 1st April 1966 the rate of contributory family pension will be as follows:-

| Pay at the time of death or retirement | Monthly Family Pension |
|----------------------------------------|-------------------------------------------------------------------------|
| 1. Rs.800 and above | 12 percent of pay subject to a maximum of Rs.150 |
| 2. Rs.200 and above but below Rs.800 | 15 percent of pay subject to a maximum of Rs.96 and a minimum of Rs.60. |
| 3. Below Rs.200 | 30 percent of pay subject to a minimum of Rs.25. |

Note – The minimum contributory family pension has been fixed at Rs.40 with effect from 1st October 1971. [G.O.(P) 625/71/Fin., dated 19th October 1971]

- (2) The proviso under sub-rule 4, and sub-rules 4 (A) and 4 (B) and the notes under them shall apply mutatis mutandis.

- *(4.CC) (1) The rate of Family Pension in the case of death while in service or after retirement on or after 1st April 1994 will be computed as indicated below

*[G.O.(P) No.29/06/Fin. dated 19/1/06] w.e.f. 1-3-97

| <u>Pay at the time of retirement or death.</u> | <u>Monthly Family Pension</u> |
|--------------------------------------------------|---------------------------------------------------------------------|
| 1. Not exceeding Rs.1500/- | 30% of Pay subject to a minimum of Rs.375/- |
| 2. Exceeding Rs.1500 but not exceeding Rs.3000/- | 20% of Pay subject to a minimum of Rs.450/- |
| 3. Above Rs.3000/- | 15% of Pay subject to a minimum of Rs.600 and maximum of Rs.1100/-. |

- (2) The rate of family pension in the case of death while in service or after retirement of employees will be 30 percent of the pay with effect from 1st March 1997 irrespective of the category to which they belong. The minimum family pension will be Rs.1,275/- per mensem and the maximum family pension will be 30 percent of the highest pay in the State Government.
- (3) The proviso under sub-rule (4), sub-rules (4A) and (4B) and the notes thereunder shall apply to this sub-rule mutatis mutandis.
- (4D) The benefits under sub-rule 4A above shall be admissible also in the case of a Government employee governed by the Workmen's Compensation Act [vide item (i) under Note below sub-rule 1 also] in addition to any compensation under the Act.

Subject to the condition that the family pension payable shall be at 50 percent of the basic pay (including dearness pay, if any) last drawn or 1½ times the family pension admissible at the ordinary rates, whichever is less.

In cases where an employee governed by the Workmen's Compensation Act dies for reasons not covered by the Act and is not eligible for any compensation thereunder the benefit of sub-rule 4A, shall be available as in the case of other pensionable employees under Government.

In all the cases mentioned in this rule the authority competent to sanction the contributory family pension shall along with the family pension papers furnish to the Audit Officer a Certificate to the effect that the family of the deceased government employee is not eligible for any compensation under the Workmen's Compensation Act @

@[G.O.(P)
223/68/Fin.,
dated 17th May 1968]

- (5) 'Pay' for this purpose means the pay as defined in Rule 12(23), Part I, Kerala Service Rules and Dearness Pay which the person was drawing on the date of his death while in service or immediately before his retirement. If on the date of his death while in service or immediately before his retirement a person has been absent from duty on leave (including leave without allowances) or on suspension, pay means the pay which he drew immediately before the leave or suspension.

*Note.-1. In the case of notional promotions, pay will be the pay, which the officers concerned are eligible for, as a result of the notional fixation of pay even though they may not have actually drawn the same.

Addition. *G.O.(P)
No.338/85/Fin. dated
15-6-1985
w.e.f. 31-1-1981.

*Note.-2 Notional pay consequent on change in scale of pay due to general pay revision or other shall be reckoned for calculation of family pension.

Addition. *G.O.(P)
No.81/03/Fin. dated
4-2-2003
w.e.f. 15-6-1985.

RULING No.1

Provisional Pay of appointments under Rule 9 or 31 of the Kerala State and Subordinate Service Rules will also be taken into account for the purpose of contributory family pension with effect from 14th November 1966.

RULING No.2

The portion of Dearness Allowance treated as Dearness Pay will be reckoned for the purpose of contributory family pension in respect of cases occurring on or after 1st April 1969:

*Provided that the deduction of two months' pay from death-cum-retirement gratuity will also include the element of Dearness Allowance treated as Dearness Pay.

*[G.O.(P)484/73/Fin.,
dated 7th July 1973]

(6) *'Family' for purposes of those rules means the following relatives of the employee, namely:-

*Substitution
w.e.f. 29/8/01
[G.O(P)No.344/05/Fin
n dated 25-7- 2005]

- (a) wife in the case of a male employee
- (b) husband in the case of a female employee,
- (c) Eldest eligible child (in the Order of Seniority in age)
- (d) Children suffering from physical/mental disorder or disability
- (e) Unmarried daughters above 25 years.

- (f) Son/daughter adopted legally before retirement
- (g) Parents (in equal shares)
- (h) Judicially separated wife
- (i) Judicially separated husband.

Note.1- If there are no surviving members of the items (a) to (e) above, Government may sanction family pension to the members referred to in items (f) and (g) subject to the conditions prescribed in sub-rule 6A. If the members referred to as items (a) to (g) are not surviving, the family pension may be paid to the member specified in items (h) or (i) as the case may be, prove the employee has included the details of such member in Form 5A. If judicially separated wife/husband is included in the details of family furnished in Form 5A family pension is not payable to judicially separated wife/husband.

**Note.2- Legal marriage after retirement shall also be considered for the purpose of these rules. In such cases, the retired officer shall file a revised Form 5A before the Accountant General after marriage. In cases where Form 5A has not been filed due to death of the pensioner the family pension will be sanctioned after observing the procedure laid down in rule 118 (2) Part III K,S,R. In the case of second marriage after retirement, necessary certificates/ documents from the authorities concerned duly certified by the Notary Public of the locality to the effect that the spouse of the first marriage is not alive and the marriage of the deceased Government servant with the applicant was lawful and legally valid one shall also be produced.

**Substituted
[G.O.(P)
No.469/02/Fin]
dated 17-7-02
(w.e.f 12-11-1990)

*Note.3- The terms 'sons' and 'daughters' occurring in clauses (c) and (d) of sub rule (6) include posthumous sons and posthumous daughters.

Insertion
*[G.O.(P)878/87/Fin.,
Dated 29/10/1987]

@(6A) Notwithstanding anything contained in sub-rule 6 above.

(1) Contributory family pension will be admissible to the parents (*father/mother) of the deceased Government employee if they were solely dependent on the deceased for maintenance and they have no other source of income or support for maintenance, and even in cases where the parents have an independent source of income of less than #Rs.4800 per annum and they were partly dependent on the deceased for maintenance and there are other extenuating circumstances, subject to the following conditions:-

(i) The employee was unmarried at the time of his/her death or if married, he/she had no wife/husband or minor children at the time of death

(ii) The parents of the deceased Government employee have no other living sons/daughters who are well placed, *and the husband/wife, as the case may be of the beneficiary is also not well placed in life

(iii) Only one family pension will be payable to a person under this rule even if there may be claim for more than one family pension on account of death of more than one son or daughter.

(2) #The contributory family pension shall be payable to parents in equal shares and on the death of either one of the recipients, his/her share shall be payable to the surviving member.

(3) [Omitted. Take effect on and from 1st October 1977]
[G.O(P)120/81/Fin., dated 16th February 1981]

(4) The family pension under this rule is payable with effect from 20th March 1969 to the parents of the government employees who died while in service or after retirement on or after 1st April 1964.

(5) The family pension under this rule will be

@[G.O.(P)146/69,
dated 20-3- 1969.

*Omitted

[G.O.(P)No.
344/05/Fin. dt.
25/7/05.

G.O.(P)543/69/Fin.,
Dated 23-9-1969
and

G.O.(P)581/70/Fin,
dated 14 -8-1970]

[G.O.(P)
No.218/03/Fin.,
dated 10-4-03]

(Takes effect from
1-1-1997)

*[G.O(P)425/82/Fin.,
dated 10/8/1982]

#Substitution

[G.O.(P)

No.344/05/Fin.
dt.25th July 2005]
w.e.f. 29/8/01.

sanctioned by Government.

(6) Eligibility for contributory family pension will be determined on the basis of the report (in the form in Annexure I) of the Tahasildar of the Taluk in which the person lives. For the continued payment of family pension the person entitled to the pension shall produce at the treasury one year after the date of commencement of the family pension an annual certificate (in the form in Annexure II) from the Tahasildar or a gazetted employee of the locality.

(7) The contributory family pension will be admissible:-

- (a) In the case of widow/widower up to the date of death or remarriage whichever is earlier and @ when the widow / widower has not another husband / wife living at the time of death of the employee. @ [Takes effect from 1st April 1964, G.O(P)363/72/Fin., dated 16th August, 1972].
- (b) In the case of son until he attains the age of 25 years or till he starts earning his livelihood, which ever is earlier (takes effect from 21-5-86)
- (c) In the case of unmarried daughter until she attains the age of 25 years or marriage or starts earning her livelihood which ever is earlier (takes effect from 6/10/89) [G.O.(P) No.613/98/Fin. Dated 10-2-1998]

In cases where death occurred prior to 29th August 1967 and the deceased employee is survived by two or more widows, family pension will be paid to the eldest surviving widow. On her death (or in the event of her remarriage) it will be payable to the next surviving widow, if any. The term 'eldest' would mean seniority with reference to the date of marriage,

*In all other cases where death occurred on or after 29th August 1967, and *[G.O.(P)388/67/Fin., dated 29th August, 1967].

- (i) where the deceased employee is survived by more than one widow the family pension will be paid to them in equal shares. On the death of a widow her share of the family pension will become payable to [G.O.(P)No. 613/98/Fin. Dated 10-2-1998]

her eligible son / daughter. If, at the time of her death, a widow leaves no eligible son/daughter the payment of her share of family pension will cease.

- (ii) where the deceased employee is survived by a widow but has left behind an eligible son / daughter from another wife, the eligible son / daughter will be paid the share of family pension which the mother would have received if she had been alive at the time of the death of the employee:

Provided that if the son or daughter of a Government employee is suffering from any disorder or disability of mind or physically crippled or disabled so as to render him or her unable to earn his living even after attaining the age of 25 years, the family pension shall be payable to such son or daughter for life, subject to the following conditions namely:-

- (i) If such son or daughter is one among two or more sons or daughters of the Government employee, the family pension shall be initially payable in the order set out in sub rule (8) until last son/daughter attains the age of 25 years or employment as in the case may be, and thereafter the family pension shall be resumed in favour of the son or unmarried daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him / her for life. or till starts earning a livelihood. [G.O.(P)613/98/Fin. Dated 10-2-1998]
- (ii) if there are more than one such son or daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order, namely:-
 - (a) firstly, to the son, and if there are more than one son the younger of them will get the family pension only after the lifetime of the elder;
 - (b) secondly, to the daughter, and if there are more than one daughter the younger of them will get the family pension only after the lifetime of the elder.

(iii) the family pension shall be paid to such son or daughter through the guardian *nominated by the Govt. Employee/Pensioner as if he or she were a minor.

*Insertion
[G.O.(P)No.
346/05/Fin. dt. 26th
July 2005]
w.e.f. 5-9-01.

(iv) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of a civil surgeon setting out, as far as possible, the exact mental or physical condition of the child.

(v) the person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of a Civil surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

[G.O.(P)19/77/Fin.,
dated 17th January
1977]

*Note:- The above benefit is extended to such sons/daughters of Government employees who retired / died before 17th January 1977

*[G.O.(P)612/98/Fin.,
dated 10/2/98]
This will take effect
from 3rd December
1987.

Explanation: -

- a) Only that disability which manifests itself before the retirement or death of the Government servant, while in service shall be taken into account for the purpose of grant of family pension under this sub-rule.
- b) A daughter shall become ineligible for family pension under this sub-rule from the date she gets married.
- c) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his / her livelihood.
- d) In such cases it shall be the duty of the guardian to furnish a certificate to the Treasury Officer every month that-

- (i) The son or daughter has not yet started earning his / her livelihood; [G.O.(P)552/78/Fin., dated 28th June 1978]
- (ii) In the case of daughter, that she has not yet married.

RULING

The children of a deceased employee born out of a divorced / judicially separated wife will be eligible for a share of family pension to the same extent as it would have been admissible to their divorced / judicially separated mother but for such divorce or Judicial separation. This will take effect from 29th August 1967. [G.O.(P)210/82/Fin., dated 5th May 1982]

- 7(A) (i) The pension sanctioning authority will approve the claim for family pension to the disabled son/daughter on the basis of the details furnished in the pension application and the prescribed medical certificate in support thereof. [G.O.(P)314/82/Fin., dated 25/6/1982]
- (ii) In writing up the Pension Payment Order to be issued to the pensioner, the Audit Officer will note therein, the name and date of birth of the eligible disabled son/daughter indicating that payment will be authorized as and when claim arises.
- (iii) As and when the claim arises the *guardian nominated by the Government Employee/ Pensioner and is authorized to receive the pension on behalf of the disabled son/daughter shall send a fresh application supported by necessary medical certificate through the Treasury Officer concerned, who will forward the application to the Accountant General's Office with both halves of the Pension Payment Order. *[G.O.(P) 346/05/Fin. dt. 26th July 2005] w.e.f. 5/9/01.
- (iv) The Audit Officer will, on receipt of the above documents verify the claim with the original pension papers and obtain the sanction of the pension sanctioning authority for payment of family pension to the disabled son/daughter.
- (v) The Audit Officer will incorporate the following condition in the Pension Payment Order when the payment is authorized, namely:-
 - (a) that the person receiving the pension as

guardian shall produce every three years a certificate from a civil surgeon to the effect that the claimant continues to suffer from the disability.

- (b) that the guardian shall produce a certificate to the Treasury Officer every month, that,--
 - (A) the disabled son / daughter has not started earning his/her living,
 - (B) in the case of disabled daughter, she has not yet married.

- (8) *Except as provided in sub-rule (7) pension awarded under these rules will not be payable to more than one member of an employee's family, at the same time. It will first be admissible to the widow /widower and thereafter to the (eligible) sons/daughters in the strict order of preference as given in the definition of 'family' in sub rule (6), i.e., contributory family pension will be payable to the eldest son when the widow /widower is not alive and on his attaining majority to the next son and after the eligibility of sons has been exhausted to the eldest unmarried daughter on her ceasing to be eligible to the next unmarried daughter.

* Substitution
[G.O.(P)613/98/Fin.
dt.10th February
1998]

Note:- where the eligible children happen to be twins of the same sex, Family pension shall be paid to them in equal shares.

[G.O.(P)616/98/Fin.
Dated 10-2-1998.]

- (9) In the event of re-marriage or death of the widow or widower the family pension will be granted to the minor children, through their natural guardian, (if any, otherwise through their de facto guardian on production of an indemnity bond, etc., as laid down in Note 2 under Rule 118, below). In disputed cases, however, payment will be made through a legal guardian (i.e., guardian appointed by a court of law):

Provided that where the minor children are under the care of a de facto guardian while the natural guardian is alive and the natural guardian consents to the payment of family pension due to the minor children to the de facto guardian, the family pension shall be granted to the minor children through their de facto guardian on production by him of:-

- (i) A certificate from the Tahasildar of the Taluk to the effect that the minor children are under the care and custody of the de-facto guardian;
 - (ii) The written consent of the natural guardian duly attested by two witnesses; and [G.O.(P)181/78/Fin., dated 13th February 1978]
 - (iii) An indemnity bond in Form 8A.
- (9A) Where the person eligible to receive family pension dies before receiving the same, the arrears, if any due to him/her shall be given to the person, if any, who is living and is entitled to receive family pension on the date of the issue of the order sanctioning family pension. [G.O.(P)354/77/Fin., dated 22nd September 1977]
- (10) [Omitted. Takes effect on and from 1st October 1977]
[G.O.(P)120/81/Fin., dated 16th February 1981]
- (11) Widow/widower of the Government employee governed by these rules will not be entitled to family pension under any other rules. (The restrictions will not, however, apply to extraordinary pension admissible, under the rules in Appendix XIII of Part III, Kerala Service Rules)
- (12) As in the case of grant of an ordinary pension future good conduct of the recipient is an implied condition of every grant of a pension under this rules. Government reserve to themselves the right of withholding or withdrawing such a pension or any part of it, if the recipient be convicted of serious crime or be guilty of grave misconduct and Government's decision on such matters will be final.

PROCEDURE

- (13) (i) All non-gazetted employees entitled to the benefit of these rules shall be required to furnish a statement of details of their family (in Form 5A) as defined in sub rule (6), i.e., the name and date of birth of each member with his/her relationship with the Government employee and thereafter, to keep this statement up-to-date. Additions to and alterations in the statement will be made by the head of office from time on receipt of information from the Government employees concerned.

The statements so received should be countersigned and pasted in the Service Books of the employees concerned.

- (ii) All gazetted employees will furnish the details of their family (in form 5A) to the Audit Officer. It will also be their responsibility to keep these particulars up to date. The Audit Officer will be required to acknowledge receipt of the communication on the subject.
- (iii) *Cases where death occurs while in service-* On receiving the information of death of an employee while in service, the concerned administrative authorities will send a letter in Form 6A with the application form for family pension to the family of the deceased and ask for necessary documents mentioned therein.
- (iv) On receiving the documents referred to in sub-para (iii) above the pension sanctioning authority will sanction family pension and send all these documents along with the Service Book of the Government employee to the Accountant General, who will then issue the pension Payment Order to the beneficiary.
- (v) In the case of gazetted employees, on receipt of application for family pension with necessary documents from the claimant, the Accountant General will forward the same to the head of the department for enquiry and report of the title of the claimant for the family pension under these rules. On receipt of the report with the other documents duly attested he will prepare the family pension papers and forward them to the pension sanctioning authority for sanction. On the basis of the sanction received from the pension sanctioning authority and the report he will issue the authorization to the beneficiary. (This procedure is applicable with effect from 1st October 1967).
- (vi) *Cases where death occurs after retirement.-*
In order to facilitate prompt payment of family pension to the widow / widower of the pensioner, Pension Payment Order has been amended so as to

provide for the admissibility of the family pension to her/him under the same Pension Payment Order, under which the pensioner was drawing his pension. While applying for the grant of pension in Form 2 the Government employee would furnish three copies of his/her joint photograph with wife / husband: one of which will after having been attested by the pension sanctioning authority be henceforth pasted in the Pension Payment Order –Pensioners portion. The amount of family pension admissible will be mentioned in Pension Payment Order. The Treasury Officer will start paying family pension to the widow / widower on receipt of death certificate of the pensioner and the application in Form 6 for the grant of contributory family pension to him/her, under intimation to the Audit Officer. If the widow/widower is also not there and the family pension is payable to the minor children through their natural guardian, the guardian will apply on behalf of the children with two copies of his photograph and the other necessary documents to the Head of Office / Department concerned. On surrendering the first Pension Payment Order fresh Pension Payment Order will have to be issued in such cases.

ANNEXURE I

[Referred to in Rule 90(6) (A) (6)]

Certificate of eligibility for contributory family pension

On conducting proper enquiries I hereby certify that Shri/Smt.....Father /Mother of.....(H.E. name and designation of the deceased employee) residing in(H.E. address in full specifying Village and Taluk) (i) was solely dependent on the deceased employee for his/her maintenance and that he/she has no other source of income or support for maintenance / partly dependent on the deceased

employee for his / her maintenance and that his / her independent income from all sources is less than *Rs.4800 per annum (ii) has no other living sons / daughters who are well placed in life and the husband / wife, as the case may be of the beneficiary is also not well placed in life (iii) is not in receipt of family pension on account of the death of any other son/daughter.

*[G.O.(P)218/03/Fin.,
dated 10-4-2003]
(Takes effect from 1st
January 1997)

Tahasildar.

.....Taluk

Place.....

Date.....

ANNEXURE II

[Referred to in Rule 90 (6) (A) (6)]

Form of Annual Certificate

On conducting proper enquiries I hereby certify that the financial position of Shri/Smt(Name and address)Father/Mother of(H.E. name and designation of the deceased employee) to whom a contributory family pension of Rs.(Rupees only) a month has been sanctioned in Government order No.....dated.....has not improved and that he/she is eligible to get the contributory family pension for another year from20.....(H.E. the date, month and year)

Signature.....

Name.....

Designation.....

Place.....

Date.....

CHAPTER VI

EXTRAORDINARY PENSION RULES
Vide Rules 1 to 12 in Appendix XIII

CHAPTER VII

RE-EMPLOYMENT OF PENSIONERS

Section I – General

91. An employee may not retire with the view to being re-employed, and drawing pension in addition to pay whether in the service of Government or of a Local Fund.
92. No person discharged on pension or gratuity shall be re-employed whether temporarily or permanently without the sanction of Government. When a person who was formerly in the employment of the Government of India or of any other State Government obtains re-employment, whether temporarily or permanently, in Government service or in the service of a Local Fund, it shall be incumbent on him to declare the amount of any gratuity, bonus or pension granted to him in respect of the previous employment. The order of re-employment shall specifically state whether any deduction is to be made from pension or salary as required by the rules of this Chapter and a copy of the order should be communicated to the Audit Office.

The attention of every employee who is re-employed should be specifically called to the provisions of this chapter by the authority re-employing him, and by the Audit Officer whenever he becomes aware of such an appointment; but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the regulations contained in this Chapter.

Note1.- A Compassionate allowance is, to all intents and purpose, a pension; and the rules regarding re-employment of pensioners are, therefore, equally applicable to the case of persons in receipt of a compassionate allowance. For purposes of re-employment, a compassionate allowance is the equivalent of a compensation or invalid pension and the recipient of the

allowance, if re-employed is in the same position in respect of his title to draw his allowance during re-employment as the re-employed recipient of a compensation or invalid pension.

Note2.- The retirement gratuity admissible under these rules is in lieu of a portion of pension. The pension equivalent of the gratuity should therefore be taken into account for determining the pay of an employee during re-employment. The table prescribed for the commutation of pension under these rules should be applied for the calculation of the pension equivalent.

93. Notwithstanding anything contained in the Chapter an injury or other extraordinary pension sanctioned under Appendix XIII to these rules and wound or injury or disability pension or a disability addition to pension awarded under the military rules or such pension awarded by the Government of India or any other State Government shall continue to be drawn by a retired person re-employed under the Government. The amount of such pension or addition to pension shall not be taken into account when fixing the pay during re-employment.

Section II – Re-employment of Civil Pensioners

94. Re-employment after Compensation Gratuity – An employee who has obtained a compensation gratuity, if re-employed in qualifying service, may either retain his gratuity, in which case his former service, will not count for future pension, or refund it and count his former service.
95. The intention to refund must be stated immediately on re-employment but the refund may be made by monthly instalments of not less than one-third of the employee's salary and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

(The equity of this rule is based upon the consideration that so long as the refund of the gratuity is postponed, the employee avoids the risks and the State loses the possibility of the gratuity lapsing absolutely to the public treasury by the death or dismissal of the employee. A subsequent refund of gratuity even with compound interest does not compensate the State for the loss of this possibility meanwhile.)

96. (a) An employee who has obtained a compensation pension, if re-employed, may retain his pension in addition to his pay, provided that if he is re-employed in a post paid from the General Revenues the pension shall remain wholly or partly in abeyance if the sum of the pension and initial pay on re-employment exceeds his pay at the time of his discharge, that is, an employee can draw so much of pension only as will make his initial pay plus pension equal to his pay at the time of his discharge. Once the amount of the pension has been fixed in conformity with the above condition the employee shall be entitled to receive the benefits of increments in his new scale or promotion to another scale or post without a future corresponding reduction in pension, nor shall the amount of pension so fixed be varied during leave. In the case, however, of a pensioner re-employed in either a permanent or a temporary appointment for bonafide temporary duty lasting for not more than a year, the Government may allow the pension to be drawn in whole or in part even though the sum total of pay and pension exceed his pay at the time of this discharge.

Note.1- In the case of re-employment under a Local Fund, no deduction need be made from a compensation pension.

Note.2- The Government may permit an employee who has obtained a compensation pension and afterwards re-employed in a permanent or temporary appointment sanctioned by Government to draw his full pension in addition to the pay and allowances of the appointment irrespective of the period of such

re-employment.

- (b) If his re-employment is in qualifying service he may either retain his pension (subject to the proviso above stated) in which case his former service will not count for future pension or cease to draw any part of his pension and count his previous service. Pension intermediately drawn need not be refunded.

Note- An employee counts his previous service under clause (b) if on re-employment, his pension remains wholly in abeyance under proviso to clause (a)

97. If an employee does not, within three months from the date of his re-employment, exercise the option conceded by the above rule, of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of the Government.

98. *After invalid pension* – There is no bar to the re-employment of an employee who has regained health after obtaining invalid pension or of an employee invalidated as being incapacitated for employment in a particular branch of the service. The rules in such case as to refunding gratuity drawing pension and counting service are the same as in the case of re-employment after compensation pension.

99. *After superannuation pension or retiring pension-* An employee who is in receipt of a superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from the General Revenues or from a Local Fund except in public interests.

100. The pay of a re-employed pensioner will be fixed at an amount equal to the difference between the pay drawn by him at the time of his retirement and the pension and pension equivalent of other forms of retirement benefits admissible to him, limited however, to the minimum of the scale of pay of the post of re-employment, provided that the pay plus pension and pension equivalent of other forms of retirement benefits shall not exceed Rs.3500*. He will also be allowed to draw the full

*[G.O.(P)349/76/Fin.,

pension in addition to the pay so fixed but will not be given temporary or ad hoc increase in pension. He will get the basic pension besides the re-employment pay fixed under the rule plus full Dearness Allowance on the re-employment pay. No increment will be earned during the period of re-employment, except in the case of military pensioners re-employed in civil posts.

dated 15th November
1976]

Exception 1 – In the case of retired Supreme/High Court Judges, the re-employment pay together with pension and pension equivalent of other forms of retirement benefits may exceed Rs.3500* but shall not exceed the pre-retirement pay.

Exception 2 – Pensioners re-employed in part-time contingent posts will be exempted from the purview of this rule in the matter of fixation of pay.

Note- The provision regarding non- admissibility of temporary increase or ad hoc increase on pension during re-employment will also be applicable to (i) pensioners drawing minimum pension and (ii) pensioners re-employed in part-time contingent posts.

[G.O.(P)3/73/Fin.,
dated 1st January
1973]

GOVERNMENT DECISION No.1

In cases where the re-employment pay fixed under the above rule is less than the minimum of the scale of pay of the post of the re-employment, the re-employment pay will be fixed at such amount and it will not be enhanced to the minimum of the scale

[G.O.(P)26/84/Fin.
Dated 12/1/1984]
(w. e. f. 13th August,
1979)

GOVERNMENT DECISION No.2

In cases where delays are likely to occur in determining the pension and other pensionary benefits the re-employed person may be paid the full pay of the post on provisional basis which will be inclusive of his pension but will exclude an approximate amount of pension equivalent of gratuity provided he executes an agreement in the appropriate form (vide Annexure I to this section). He will also be required to furnish acquittance in the prescribed form (vide Annexure II to this section) indicating receipt of pay including pension. The acquittance should be obtained from the re-employed person concerned along with pay bill

every month he is paid provisionally.

When the pension and other retirement benefits are ultimately sanctioned to the re-employed person by the competent authority the pay would be fixed after taking into account the pension and pension equivalent of other form of retirement benefits and he will have no fresh claim for pensionary benefits in respect of the past periods during which he drew the same along with the provisional pay. The actual amount of pension equivalent of gratuity will be adjusted against the gratuity to the extent it is different from the approximate amount deducted from the pay of the post provisionally paid.

This will apply only to the cases of State Government employees re-employed in the State Government.

GOVERNMENT DECISION No.3

Special pay granted in lieu of a separate higher time scale as classified under clause I (a) in Appendix IV, Part I Kerala Service Rules alone shall be reckoned as part of pay for the purpose of fixation of re-employment pay.

G.O.(P) 44/83/Fin.
dated 17-1-1983.

ANNEXURE I

Form of agreement to be executed by a State Government pensioner on his re-employment

An agreement madeday.....two thousand. between..... (hereinafter called the retired Government employee which expression shall include his heirs, executors, administrators and legal representatives) on the one part and the Governor of Kerala (hereinafter called the 'Government') on the other part.

Whereas the Government has appointeda retired Government employee in the post ofwhich carries a scale of

Whereas in accordance with rule 100 of Part III of Kerala Service Rules the initial pay on re-employment

plus the gross amount of pension and/or the pension equivalent of other forms of retirement benefits shall not exceed Rs.3000.

Whereas the pension and/or the pension equivalent of retirement benefits in respect of the retired Government employees' previous service has not been finally determined and sanctioned by the competent authority before his re-employment.

Whereas the retired Government employee desirous of receiving pay in the re-employed post each month inclusive of the amount of pension due to him for the relevant period but exclusive of a sum of Rs.....representing the approximate amount of pension equivalent of gratuity.

Now, therefore, the Government have agreed to fix his pay at a sum of Rs.....per month "provisionally" which sum shall include the amount of pension due to him for the relevant period but exclude an approximate amount of pension equivalent of gratuity.

On the condition that:

The provisional pay shall be subject to adjustment on the fixation of his final pay when the pension in respect of his previous service is sanctioned to the retired Government employee by the competent authority.

The retired Government employee shall not have any further claims for pension in respect of the period during which he had drawn the amount thereof included in the provisional pay.

And further that the actual pension equivalent of gratuity shall be subject to adjustment from the gratuity when sanctioned to the extent it is different from the approximate amount excluded from the pay in the re-employed post to arrive at the provisional pay.

In witness where of the retired Government employee has here to set his hand the day and year first before written.

Signed by the said..... Signature.....

In the presence of

ANNEXURE II

Receipt to be given by the re-employed pensioner along with pay bill every month

Received a sum of Rupeesbeing the provisional pay (which is inclusive of the amount of pension accrued to me) in.....(name of the post held and office) for the month ofI hereby declare and state that my pension for the month ofmay be treated as adjusted against the above payment when the pensionary benefits are sanctioned to me and I will not be entitled to any further payment on account of pension for the said period.

Signature.....

Section III – Military pensioners re-employed

101. Except where it is otherwise expressly provided the rules in Section II of this Chapter do not apply to an employee of the Defence Services who has been granted a pension under military rules and who is re-employed under the Government. The claims of such an employee to pay and allowances are governed by Rule 102. His pension for service in the Civil Department shall not be affected by his military pension.
102. (a) (i) In the case of re-employed military pensioners of all categories including mustered-out pensioners, but excepting mustered-out pensioners of the ex-Travancore Cochin State Forces whose case is dealt with separately below, the pay otherwise admissible to them in the civil post will be reduced as shown below :

| Rate of Military Pension | Amount of reduction in civil pay |
|--------------------------|----------------------------------|
|--------------------------|----------------------------------|

- (a) Pension not exceeding Nil
Rs.125 p.m.

- (b) Pensions exceeding Rs.125 but not exceeding Rs.187.50 p.m. Amount in excess of Rs.125 of Military Pension
- (c) Pensions exceeding Rs. 187.50 p.m. 33 $\frac{1}{3}$ percent of the military pension.

Note: - The pay of military pensioners who are on re-employment at the commencement of these rules shall be refixed according to the above rates with effect from the date of commencement of these rules. [G.O.(P)728/79/Fin., dated 10th August 1979]

GOVERNMENT DECISION

The reduction in civil pay contemplated in the sub-rule in respect of a military pensioner re-employed is applicable throughout the re-employed service and will be effected not only at the initial fixation but also on every occasion of subsequent promotion/revision and will be subject to the condition that pay plus military pension and pension equivalent of other forms retirement benefit for the military service shall not exceed Rs.3500 per month. The reduction will not, however be effected when an increment is earned. In the case of promotion/revision of pay "the pay otherwise admissible" (excluding reduction) shall be fixed under the normal rules in Kerala Service Rules with reference to "the pay otherwise admissible excluding reduction and including increments" and then the reduction contemplated in the sub-rule shall be effected.

G.O.(P)717/81/Fin
dated 29,October 1981.

(ii) The pay on re-employment in Civil Departments of retired military personnel who received only a gratuity shall be fixed taking into account the gratuity received from the military authorities. For this purpose, the pension equivalent of the gratuity based on the commutation table given in Appendix X will be arrived at and then the pay on re-employment in the civil post fixed by applying the table of calculation mentioned above.

(iii) The Emergency / Short Service Commissioned Officers who joined pre-commissioned training or were commissioned after 1st November 1962 may on their appointment in Government Service to unreserved vacancies, be granted advance increments equal to the completed years of service rendered by them in the Armed Forces on basic pay (inclusive of deferred pay but excluding other emoluments) equal to or higher than the minimum of the scale, attached to civil post in which they are employed. The pay so arrived at should not, however, exceed the basic pay (including the deferred pay but excluding other emoluments) last drawn by them in the Armed Force. When the minimum of the scale of pay in the civil post to which a pensioner is re-employed is more than the last pay drawn by him before retirement, his initial pay in the civil post shall be fixed at the minimum of the scale of pay of the re-employed post.

[G.O.(P)305/03/Fin.
dated. 5-6-03]
w.e.f. 27th July, 1990.

- (b) In respect of mustered – out pensioners of the ex-Travancore-Cochin State Forces who are provided with permanent alternate employment in civil posts under the State Government, the question of any reduction in their civil pay does not arise. In the case of these mustered out pensioners of the ex-Travancore – Cochin State Forces, who are not so permitted to count their military service or who do not desire to have their previous service counted for purposes of pension for the civil post or those whose appointments in the civil post are only temporary, their pay on re-employment will be governed by the same rules as are applicable to ordinary military pensioners enunciated above.

RULING

Wound or extraordinary pension should be reduced or terminated only in virtue of the conditions of its award and should not be affected by the pensioner's re-employment in Government Service.

Section IV – Pension for new service

103. Except as provided in Rules 101 and 102 an employee who, having been discharged with a pension is subsequently re-employed, may not count his new service for a separate pension. Pension, if any, is admissible only for the new service combined with the old, the whole being counted as one service.
104. If an employee who has obtained a compensation or invalid pension is re-employed in pensionable service and retains the pension (See Rule 94) the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely that the capital value of pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the employee's final retirement if the two periods of service were combined, and the value of the pension already granted for the previous service.
105.
 - (a) If a gratuity received for the earlier service has not been refunded gratuity or pension (as the case may be) may be allowed for the subsequent service on condition that the amount of such gratuity or the present value of such pension plus the amount of the previous gratuity shall not exceed the amount of gratuity of the present value of the pension that would have been admissible and the gratuity received for the earlier service been refunded.
 - (b) If the amount of such gratuity or the present value of such pension, plus the amount of the previous gratuity exceeds the amount of gratuity or of the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

(For the purpose of Rules 104 and 105 the capital value of pension shall be calculated in accordance with the table prescribed in Appendix X.)

Section V – Commercial employment after retirement

106. If an employee who belonged to the first grade (vide Travelling Allowance Rules) at the time of his retirement wishes to accept any commercial employment before the expiry of two years from the date of his retirement he should obtain the previous sanction of Government to such acceptance. No pension shall be payable to a pensioner who accepts a commercial employment without such sanction in respect of any period for which he is so employed or such longer period as the Government may direct, provided that an employee permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

Note 1:- In this rule, 'Commercial Employment' means employment in any capacity including that of an agent, under a company*** firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and a partnership of such firm and employment in private institution like the Devaswom Board.

G.O.(P) 69/86/Fin.,
dated 16/1/1986.

**Note 2 :- For the purpose of Note – 1 employment under a co-operative society shall include the holding of any office whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and the like whatever name called in such a society.

**Deletion G.O.(P)
69/86/Fin., dated
16/1/1986

†GOVERNMENT DECISION

The service in the Government companies and the companies in which Government have majority of shares, or institutions like Kerala Financial Corporation and other statutory corporations * and Government Sponsored organization like Co-operative Societies will not come under the purview of commercial employment and will be treated in the same manner as re-employment in Government service in so far as re-employment pay of retired Government employees are concerned. This Decision takes effect from 27th June 1974.

†[G.O.(P)32/77/Fin.
dated,22-01-1977]

*Insertion
[G.O.(P) No. 70/86/Fin
dated. 16-1-86]

Section VI-Employment under other Governments after retirement

107. If a pensioner wishes to accept any employment under a Government within or outside India, he should obtain the previous sanction of the Government to such acceptance. No pension shall be payable to a pensioner who accepts such an employment without proper permission in respect of any period for which he is so employed or such longer period as the Government may direct:

Provided that an employee permitted by the Government to accept a particular form of employment under another Government during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

Note:- For the purpose of this rule “employment under other Government” shall include employment under a local authority or Corporation, or any other institution, or organization which functions under the supervision or control of other Governments.

CHAPTER VIII
PROCEDURE RELATING TO PENSIONS – APPLICATIONS
FOR AND GRANT OF PENSIONS

Section I – General

108. (1) The rules in this Part shall apply to all Government employees applying for pension under the Kerala Service Rules.

(2) For the purpose of this part “gratuity” means death-cum-retirement gratuity under Rule 66 and includes service gratuity under Rule 64, if any.

109. Every head of department shall have a list prepared every six months, on the 1st January and the 1st July each year of all gazetted and non-gazetted government employees who are due to retire within the next 12 to 18 months of that date. A copy of every such list shall be supplied to the Audit Officer concerned not later than the 31st January or the 31st July, as the case may be, of that year. In the case of persons retiring for reasons other than by way of superannuation, the head of the department shall promptly inform the Audit Officer as soon as the impending retirement becomes known to him.

110. Every government employee shall submit a formal application for pension in Form 11, gazetted government employees shall send their applications @ direct to the Audit Officer and non-gazetted employees to the head of office. Every government employee should submit his formal application for pension at least one year in advance of the date of his anticipated retirement:

@ [The procedure is applicable with effect from 1st October 1967]

Provided that, -

(i) In cases in which the date of retirement cannot be foreseen one year in advance, the application shall be submitted immediately after the date of retirement is settled; and

(ii) A Government employee proceeding on leave preparatory to retirement in excess of one year, shall submit the application at the time of proceeding on such leave; and

- (iii) When a government employee dies without making a formal application before his retirement, the authority competent to sanction pension may relax the provision of this rule and sanction pension or gratuity due to the Government employee from the date of retirement up to and inclusive of the date of his death as if he had made a formal application for the same before retirement.

The pension or gratuity sanctioned in accordance with this proviso may be paid to the heirs of the deceased in accordance with the normal provisions of the Rules.

Note.- The authority competent to make appointment to the post vacated by the retiring Government Servant shall be competent to sanction the pension of that retiring Government Servant. However, Government shall have also power to sanction the pension of any retiring Government Servant. [G.O.(P) 180/78/Fin. dated 13-02-1978]

111. The head of office shall send the Service Book of every gazetted Government employee to the Audit Officer at least one year in advance of date of retirement after satisfying himself that the certificate of verification regarding the non-gazetted service has been recorded therein and that the Service Book is complete in all respects. The service book of a non-gazetted Government employee promoted to officiate in a gazetted post at any time during the last year of the service and likely to continue as such till the date of his retirement shall be completed in all respects, and forwarded to the Audit Officer within a fortnight of his promotion.

Section I A – Verification of qualifying service after 25 years of service or 5 years before retirement.

- *111. A. On a Government employee completing 25 years of service or on his being left with 5 years before date of retirement, whichever is earlier, the Audit Officer concerned in case of a gazetted Government employee and or the head of office, in consultation with the Audit Officer concerned, in the case of a non-gazetted Government employee, shall, in accordance with the rules for the time being in force, verify the service rendered by such Government employee and determine the qualifying service and communicate to him the period of qualifying service so determined.

* Insertion
G.O.(P)171/77/Fin.
dated 3rd June 1977.

Section II – Application – Gazetted Government Employees

112. The Audit Officer shall draw up the application for pension in respect of gazetted government employees in Form 2, in duplicate one year in advance of the date on which the Government employee is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. This work shall not be delayed till the Government employee has actually submitted his formal application for pension.

[The procedure is applicable with effect from 1st October 1967]

113. (a) The Audit Officer will call for the documents required for preparing the pension papers from the gazetted Government employee/head of the department, sufficiently early. The gazetted employees may send the formal application along with the required documents duly filled up to the Audit Officer without waiting for any formal communication from Audit Officer as it is the responsibility of each government employee to apply for pension in the prescribed form sufficiently early i.e; one year ahead of the date of superannuation.
- (b) (i) On receipt of the formal application and other required documents from the Government employee/department, the Audit Officer shall prepare and forward the pension papers with the verification report to the head of the department or the Government, as the case may be.

- (ii) The authority sanctioning the pension shall after getting the remarks duly recorded by the receiving authority in page 3 of form 2, communicate the sanction to the Audit Officer within a period of three months, but not later than the actual date of retirement of the Government employee.
- (iii) If after the communication of the order of sanction to the Audit Officer, any event occurs which has bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the authority sanctioning the pension. In case no such event has occurred a report to that effect together with a certificate as to the satisfactory nature of the service rendered by the Government employee after the despatch of the pension papers shall be forwarded to the Audit Officer within a week of the date on which the Government employee retires.
- (c) The details of any Government dues outstanding against the government employee and steps taken to safeguard the interest of the Government in this behalf shall also be communicated by the head of the department or the Government in the capacity of receiving Authority referred to in sub-clause (ii) of clause (b), to the audit Officer at least within 14 days from the date of retirement of the Government employee.

Section III – Application – Non-gazetted Government Employees

- 114. Every head of office shall undertake the work of preparing pension papers one year in advance of the date on which a Government employee is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. This work shall not be delayed till the Government employee has actually submitted his formal application for pension.
- 115. (a) As the first step, the head of office shall send to every non-gazetted employee a copy of Form II (Formal Application for Pension) one year in advance of the date on which the Government employee attains the age of superannuation or before the date of his anticipated retirement, if earlier, requiring him to return it duly filled in along with necessary documents within a period of three months; but in no case later than the actual date of retirement. The head of office shall also draw attention of the retiring Government employee to the provisions of Rule 119.

(b) Thereafter, the head of office shall fill in, in accordance with the instructions in Form 3 the first two pages of Form 2 irrespective of the fact whether a formal application for pension is received from the Government employee or not, and proceed as follows:-

- (i) He should see that the annual certificates of verification for the entire service are, recorded in the Service Book or Service Roll, as the case may be. The omissions, if any, shall be supplied by him with reference to the pay bills, acquittance rolls and other relevant records.
- (ii) The unverified portion of service rendered by the Government employee in another office or department, if any, shall be got verified and the certificate of verification recorded by the concerned head of office/department.
- (iii) If any portion of service rendered by a government employee is not capable of being verified in the manner specified in sub-clauses (i) and (ii), the Government employee shall be required to file a written statement on plain paper in the following form:-

“1. I (Here enter name of the retiring government employee) hereby state that I have actually rendered service as (Here enter designation) in the Office of the during the period from20..... to20.....

2. I hereby declare that the statement furnished above is true and complete to the best of my knowledge and belief.

Station Signature and name of the Government employee with full address.”

Date

Witnesses : (1)
.....
.....

(2)
.....
.....

He shall also be asked to produce all documentary evidence in support of the written statement and furnish any further information available with him

(c) (i) The head of office shall complete the entries in Form 2 in all respects as soon as the formal application is received from the government employee.

(ii) As the receiving authority, the head of office shall, on page 3 of Form 2, certify as to whether the character, conduct and past service of the Government employee are such as to entitle him to pension. He shall also record therein his opinion as to whether the service (including the unverified portion of service if any, for which written statement has been obtained from the government employee himself) claimed has been established and should be admitted or not.

(iii) He shall then send the pension application in duplicate, along with the documents referred to in Form 3 to the pension sanctioning authority for sanction.

(iv) The pension sanctioning authority shall on receipt, record in both the application his orders for the grant of pension, death-cum-retirement gratuity and family pension and forward one copy with the documents to the Audit Officer, and the other copy to the head of the office for record in his office.

(v) If any event afterwards occurs which has bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the authority sanctioning the pension.

(vi) A certificate as to the satisfactory nature of service rendered by the government employee for the period from the date of admitting service by the pension sanctioning authority to the date of actual retirement shall also be forwarded to the Audit Officers within a week from the date on which he retires. Details of any government dues outstanding against the Government employee and the steps taken to safeguard the interests of Government in this

behalf shall be intimated to the Audit Officer simultaneously.

SECTION IV-Anticipatory Pension.

116. (1) When a Government employee is likely to retire before his pension can be finally assessed and settled in accordance with the provisions of this part, the Audit Officer, in the case of gazetted government employees and non-gazetted employees and whose cases were referred to him before retirement and the head of office in the case of other non-gazetted Government employees shall issue authorization/proceedings sanctioning *100% of the probable pension to which the government employee is eligible for as 'Anticipatory Pension'. The pension so disbursed shall be subject to revision on completion of detailed investigation and enquiries, if any. If the amount of anticipatory pension granted to an employee is afterwards found to be in excess of the pension finally assessed under the rules, he shall be called upon to refund the excess in the manner and subject to the condition specified in Rule 117. *(G.O(P)No.611/98/ Fin. dated. 10/2/98)
- (2) If the Government employee is entitled to gratuity in lieu of pension not more than three-fourth of the amount of such probable gratuity shall be disbursed to him under the authority from the Accountant General in the case of a gazetted Government employee and on the sanction of the head of Office/Department in the form in Annexure 1 in the case of non-gazetted government employee.
Not more than three-fourth of the amount of death-cum-retirement gratuity shall also be authorized for payment to the pensioner as above.
- (3) In the event of death of a government employee, similar payment of gratuity / death-cum-retirement gratuity may also be made in the appropriate proportion to the nominees and in cases where no valid nomination subsists, to the surviving members of his family in accordance with the relevant orders issued from time to time
- (4) A copy of the sanction for anticipatory pension (or gratuity) and death-cum-retirement gratuity issued in

the form in Annexure I in the case of a non-gazetted government employee shall be endorsed to the Accountant General also.

- (5) *[Omitted. Takes effect on and from 1st October 1977] Amount to be withheld towards unassessed liabilities, if any, and amount to be recovered and adjusted towards assessed liabilities, if any, against the government employee shall be recovered from the anticipatory gratuity/ death-cum-retirement-gratuity. The particulars of recoveries should be indicated in the authorization by the Accountant General or the sanction from the head of office/department.

[G.O. (P) 120/81/Fin.,
dated 16th February
1981]

RULING

1. If the liabilities could not be finalized but could be estimated at the time of retirement, pension and death-cum-retirement gratuity will be released after accepting a surety bond or cash deposit or after withholding from the death-cum-retirement gratuity the estimated amount of the outstanding dues plus 25 per cent thereof.

2. If disciplinary proceedings are being continued against an officer under Rule 3 as on the date of retirement the existing provision under Rule 3-A of paying provisional pension withholding the entire death-cum-retirement gratuity will be operative.

3. In cases not covered by paragraph (1) or (2) above, the pension and death-cum-retirement gratuity will be released provisionally after withholding from the death –cum-retirement gratuity, the amounts noted below:

(1) Employees in charge of cash/stores The full amount of death –cum-retirement gratuity

*(2) Gazetted and Non-Gazetted employees other than (1) above 10 percent of the death – cum-retirement gratuity.

*modification
[G.O.(P)163/01/Fin.
dt.24/1/01]

4. In all cases where the procedure referred to in paragraph (1) or paragraph (3) is proposed to be followed, the pension sanctioning authority will not later than a week after the retirement of the employee, intimate the Accountant General, without fail the amount or percentage of the death-cum-retirement gratuity to be withheld.

5. In all cases where the liabilities could not be assessed and fixed before retirement of the Government employees, efforts should be made to assess and adjust the recoverable dues within a period of one year from the date of retirement of the Government employee concerned. If in any case, the liability could not be assessed and adjusted within one year, the amount withheld from the death-cum-retirement gratuity or the surety bond or cash deposit accepted under paragraph (1) or (3) above will be released. Disciplinary action shall be taken against the employees responsible for the failure to assess and adjust the liabilities within the prescribed period.

6. If in any case the amount withheld from the death-cum-retirement gratuity or the cash deposit, or the surety bond taken from the employee has been released on the expiry of one year after the date of retirement without the liabilities being finalized and adjusted, or it is not adequate to cover the liabilities finally fixed, action will be taken against him under Rule 3 of Part III, Kerala Service Rules to make up the loss by withholding, withdrawing or effecting recoveries from the pension sanctioned. If action under Rule 3 *ibid* is not possible due to the expiry of the time limit prescribed for such action, or due to any other reason the retired employee will be proceeded against a Civil Court for recovering the pecuniary loss caused to Government.

7. Production of Last Pay Certificate will not be insisted on for the provisional payment of pension or death-cum-retirement gratuity under paragraph (1), (2) and (3) of this order.

- (6) In the case of non-gazetted government employee, the head of office shall draw and disburse the anticipatory pension/ gratuity and death-cum-retirement gratuity with a copy of the sanction attached to the bill on the first day of the month following the month in which the Government employee retires. If the pensioner whose pension does not exceed Rs.100 desires payment by Money Order or Bank Draft, the remittance will be made at Government post and such payment of pension exceeding Rs.100 but not exceeding Rs.200 shall be made at his own cost.
- (7) Anticipatory pension shall be paid for a period of six months from the date of retirement of the Government employee in the first instance, when the final pension/gratuity cannot be assessed within the stipulated period, the Audit Officer shall extend the period of payment of anticipatory pension for such period as he may consider necessary, under intimation to the Treasury Officer and the head of Office concerned.
- (8) A register in the form in Annexure II will be maintained by the head of office/ Department for watching the payment of anticipatory pension.

Section V-Final pension

117. (1) On receipt of sanction for pension etc., as indicated in Rule 113 (b) (ii) and 115 (c) (iv) above, the Audit Officer shall apply the requisite checks and record his audit enforcement on the third page of Form 2. The authorization for the drawal of the amount of death-cum-retirement gratuity and the pension Payment Order shall then be prepared. They shall not be issued more than a fortnight in advance of the date of commencement of pension and the fact shall be reported to the pension sanctioning authority. If the amount of anticipatory pension is found to be in excess of the amount of final pension, the pension sanctioning authority shall serve on the pensioner a notice requiring him to refund the amount paid in excess within a period of 2 months of the receipt of the notice by him. On his failure to comply with the notice, the excess payment shall be adjusted in instalments from the future payments of pension or

the excess amount adjusted out of the balance of gratuity, if any, as the pension sanctioning authority may decide. However, the excess drawals of anticipatory gratuity shall not be required to be refunded by the gratuitant.

(2) If the payment of the balance of the gratuity is desired to be made from the Treasury or Sub-treasury from which the final pension is to be drawn, the Audit Officer shall authorize the payment of gratuity after adjusting the amount, if any, outstanding against the retired government employee. The fact of the issue of the pension payment order and the payment of the balance of gratuity shall be promptly reported to the head of office and the pension papers which are no longer necessary shall be returned to him by the Audit Officer. He may also authorize the payment of the balance of the gratuity even during the period of the currency of the anticipatory pension, provided that the amount of gratuity has been finally assessed and no Government dues are outstanding against the Government employee, pending recovery.

In the case of non-gazetted employees the liabilities as noticed in audit will be intimated by the Audit Office to the departmental officer. He will communicate the same as required under the rule to the party to furnish his explanation or objection, if any, within the period stipulated in the Rule. Meanwhile the balance of death-cum-retirement gratuity after withholding the dues including liabilities pointed out by the departmental officer will be authorized from the Audit Office with necessary intimation to the party. On receipt of the reply from the departmental officer in regard to the party's explanation on or objection to the dues communicated, further action either to adjust the amount withheld or to release the same will be initiated by the Audit Office. Similarly in the case of gazetted, government employees the Audit Office will observe the formalities before the final payment of death-cum-retirement gratuity.

117. A. If the amount of final pension granted to an officer is afterwards found to be an excess of that to which he is entitled under the rules, the pensioner shall be

[G.O. (P) 258/77/Fin.,
dated 21st July 1977]

liable to refund such excess amount to Government. When any amount is liable to be refunded under this rule, the sanctioning authority shall serve on the pensioner a notice requiring him/ her to refund the amount paid in excess within a period of two months from the date of receipt by him/ her of the notice. On his/her failure to comply with such notice, the sanctioning authority shall order that such excess amount shall be adjusted by short payments of pension in future in such number of instalments as the authority may order. A similar procedure shall be adopted in the case of family pension also.

118. *Cases where death occurs while in service.* –(1) If the government employee has executed a nomination in the prescribed form and the nomination subsists, the Head of the Office/Department or the Audit Officer who is the custodian of the nomination shall, on receipt of the death report of the employee, send to the nominee(s) a letter in Form 6A together with a copy of form 6 asking for necessary documents. On their receipt, he shall draw up the pension papers and forward them to the pension sanctioning authority. The pension sanctioning authority will sanction the death-cum-retirement gratuity and the family pension, if any, and send the pension papers to the Audit Officer. After verification, the Audit Officer shall authorize the payment of the amount of death-cum-retirement gratuity and issue family pension payment order on the authority of the orders recorded by the pension sanctioning authority

(2) If the employee has not executed a nomination in the prescribed form or in cases where the nomination made does not subsist, the head of the office/department shall arrange to conduct an enquiry to ascertain who are the surviving members of the family eligible to receive the death-cum-retirement gratuity and family pension. On receipt of the enquiry report in the form in Annexure III, he shall obtain from the surviving eligible members an application in Form 6, draw up the pension papers in respect of the deceased non-gazetted employee and forward them to the pension sanctioning authority. If the claimant for family pension is the father or the mother, etc., the Head of Office/ department should satisfy himself

that the conditions laid down in Rules 81, 84, and 90, as the case may be are fulfilled before forwarding the pension papers to the pension sanctioning authority. The pension sanctioning authority shall, after recording his orders sanctioning death-cum-retirement gratuity and family pension, pass on the pension papers to the Audit Officer for authorizing the payment of the amount of death-cum-retirement gratuity and issuing family pension payment order. The enquiry report along with the application in Form 6 from the surviving eligible members of the family of a deceased Gazetted Government Employee shall be passed on the Audit Officer who shall complete the Form 6 and forward it to the pension sanctioning authority for recording his orders for the payment of the death-cum-retirement gratuity and the family pension. After recording the orders of the Pension Sanctioning authority on the Pension application, it shall be forwarded to the audit officer for authorizing payment of the amount of death-cum-retirement-gratuity and issuing Pension Payment Order.

(3) When the gratuity is payable under clauses (1) and (2) above to the minor. – If the amount or share of the gratuity is payable to a minor, it will be paid to the natural guardian of the minor, and in the absence of a natural guardian, to the person who produces a guardianship certificate. A descriptive roll in duplicate of the person who may be authorized to receive payment should accompany the application in Form 6;

*Provided that where the minor child is under the care of a de facto guardian while the natural guardian is alive and the natural guardian consents to the payment of amount or share of the gratuity to the de facto guardian, it shall be payable to de facto guardian, on production by him of-

- (i) A certificate from the Tahasildar of the Taluk to the effect that the minor is under the care and custody of the de facto guardian;
- (ii) The written consent of the natural guardian duly attested by two witnesses; and

* Insertion
[G.O. (P) 181/78/Fin.,
dated 13th February
1978]

(iii) An indemnity bond in Form 8 A

The amendment hereby made shall come into force on the 13th February 1978 and shall apply to all cases to be settled on or after the said date.

Note: - 1. The legal position as to whom the capacity of minor natural guardian/legal guardian, the share of a minor would be payable is explained as under: -

- (i) Where no valid nomination subsists. –
 - (a) When a share payable to minor sons or minor unmarried daughters it should be paid to the surviving parent except in the case when the surviving parent happens to be a Muslim lady, where, however, there is no surviving parent, or the surviving parent is a Muslim lady, payment will have to be made to the persons producing the guardianship certificate.
 - (b) When a share is payable to a widowed minor daughter production of a guardianship certificate would be necessary.
 - (c) If in a rare case the wife herself happens to be a minor the death-cum-retirement gratuity payable to her shall be paid to the persons producing the guardianship certificate.
 - (d) When there are no surviving members of the family as in items (a), (b), (c) and (d) of Rule 71 and the death-cum-retirement gratuity becomes payable to a minor brother or a minor unmarried sister, the payment should be made to the father or, in his absence the mother of the beneficiary except in the case where the mother happens to be a Muslim lady. If the death-cum-retirement gratuity becomes payable to a minor child of a predeceased son, payment should be made to the mother of the beneficiary except in the case where the mother happens to be a Muslim lady. In these cases too, if there is no surviving parent or the surviving parent happens to be a Muslim lady, the payment shall be made to the person

producing the guardianship certificate. If any share is payable to a widowed minor sister, the production of a guardianship certificate would be necessary.

(ii) Where a valid nomination subsists. –

- (a) Where the nomination is in respect of one or more of the minor members of the family, the position stated above would apply.
- (b) Where there is no family, the nomination in favour of an illegitimate child, or a married sister would also be valid. The position would, therefore, be as follows: -
 - (i) If the nominee is an illegitimate child, share will be payable to the mother, and, in her absence the production of a guardianship certificate would be necessary.
 - (ii) If the share is payable a married minor girl, the share will be payable to the husband.

Explanation. – The term “surviving parent” mentioned in Note 1 (i) above does not include “surviving step mother”.

Note 2. – Payment of death-cum-retirement gratuity to the extent of *Rs.100000 (or the first Rs. *100000 where the amount payable exceeds *Rs. 100000) in favour of a minor may be made to his/her guardian in the absence of a natural guardian, without the production of a formal guardianship certificate but subject to the production of an indemnity bond in Form 8 A with two suitable solvent sureties to the satisfaction of the sanctioning authority. The balance in excess of Rs. *100000, if any, would become payable on the production of a certificate of guardianship.

*Substitution
[G.O(P) 350/05/Fin
dated 27/7/2005]
[w.e.f 22.2.00]

It is essential that there should **prima facie** grounds for making payment on the production of an indemnity bond to the person claiming it. Such ground can exist only if he is shown by a sworn declaration to be a **de-facto** guardian

and his bonafides have been ascertained. Even if a guardian has not yet been appointed by the court, if the minor and his property are in the custody of some person, such person is in law **de-facto** guardian. The authorities making the payment should therefore, require the person who comes forward to claim payment on behalf of the minor, to satisfy them by an affidavit that he is in charge of the person and property of the minor and is looking after it or that, if the minor has no property other than the gratuity the minor is in his custody and care. The affidavit so to be produced is in addition to the indemnity bond with suitable sureties.

Note 3. - In cases where the surviving parent happens to be a Muslim lady and where the aggregate amount of the gratuity due to her minor children does not exceed one thousand rupees, the share of the death-cum-retirement gratuity due to them will be paid to her on production of a certificate issued by the Tahasildar in whose jurisdiction the beneficiaries live, that the minor children are under her care and custody.

ANNEXURE I

Anticipatory Pension Sanction Form

[Referred to in Rule 116 (2) and (4) of part III,
Kerala Service Rules]

Proceedings of the
..... No.....
Dated..... 20.....

Sub: - Anticipatory pension (or gratuity) and death-
cum-retirement gratuity
Sri/Smt.....sanctioned.

Read: -

- 1.....
- 2.....

ORDER

An anticipatory pension of Rs.
.....
(Rupees.....only) a month or gratuity of
Rs.....
(Rupees.....only) and a death-cum-
retirement gratuity of
Rs.....(Rupees.....only) is/are
sanctioned to Sri/Smt.....(Name and
designation) retired on19.....
from the office of

(2) The amount of Rs.
.....(Rupees.....only) shall be
recovered from the gratuity/ death-cum-retirement
gratuity as detailed below:

- | | | |
|-------------------------------------------------|------|------|
| | Rs.. | Ps. |
| (i) Contribution to contributory family pension | | |
| | | |
| (ii) Amount towards assessed liabilities | | |
| | | |
| (iii) Amount towards unassessed liabilities | | |

(3) The pension is payable from.....20.....to
20..

(4) The expenditure will be initially debited to
kerala under "65- Pension and Other Retirement
Benefits" to be suitably allocated later on when final
payment is sanctioned.

(5) This sanction is subject to revision when the
final pension/gratuity and death-cum- retirement
gratuity are sanctioned.

.....
Pension Sanctioning Authority

To
The Accountant General, Kerala.
The District/Sub Treasury Officer
The person concerned.

ANNEXURE II

Register for watching payment of anticipatory
pension to non gazetted employees

(Referred to in Rule 117 (3) of Part III Kerala Service Rules)

| Serial number | Name designation and address of pensioner | Pension file no | Date of retirement | Date of sanction | Amount Rs | Details of payment | | | | | | Details of final P.P.O | Remarks | Dated initials of Head of Office/Department |
|---------------|-------------------------------------------|-----------------|--------------------|------------------|--------------|------------------------------------------------------|---|---|---|---|---|------------------------|---------|---------------------------------------------|
| | | | | | | (Date and amount to be specified in each sub-column) | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | | | | | | 8 | 9 | 10 |
| | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

ANNEXURE III

Form of Enquiry Report
[Referred to in Rule 118 (2) of part III, Kerala
Service Rules]

I hereby certify that I have made personal enquiries regarding the surviving members of the family of late Sri/Smt. (designation) as per rules 67 and 71 of Part III of K.S.Rs, and I am satisfied that the persons whose particulars mentioned below are the only claimants who are eligible for the death-cum-retirement gratuity.

1. Wife/husband
2. Sons
3. Unmarried daughter (unmarried as on the date of death of the deceased employee)
4. Widowed/ divorced daughter (widowed/ divorced as on the date of death of the deceased employee)
5. Brothers below the age of 18 years and unmarried or widowed or divorced sisters (as on the date of death of deceased employee)
6. Father
7. Mother
8. Married daughters
9. Children of a pre-deceased son

[G.O (P) 258/77/Fin.,
Dated 21st July 1977]

Head of Office/ Department.....

Name of Office/Department.....

Place.....

Date.....

INSTRUCTIONS

The question of payment of a share of death-cum- retirement gratuity to any member (s) falling under categories 4 to9 will arise only in cases where there is no member (s) falling under categories 1 to 3 alive (Vide Rule 67 read with Rule 71 of K.S.R. Part III)

2. The name, address, age, relationship with the deceased, two bodily marks of identification and two-specimen signatures of each member should be given. The bodily marks of identification and specimen signature are not necessary in respect of minors.

3. Item 2, 3 and 4 will include stepchildren, adopted children and posthumous children.

Items 6 and 7 will include adoptive parents in the case of individuals whose personal law permits adoption.

Item 8 will include married adopted and / or step daughters.

CHAPTER IX

PAYMENT OF PENSION

Section I-General

119. Apart from special orders, an ordinary pension is payable from the date in which the pensioners ceased to be borne on the establishment*

*[G.O. (P) 108/75/Fin.,
dated 24th March 1975]

Note: - The pension of an employee, who, under rule 40, has received a gratuity in lieu of notice of discharge is not payable for the period in respect of which the gratuity is paid.

Ruling deleted
[G.O. (P) 108/75/Fin.,
dated 24th March 1975]

120. The preceding rule applies to ordinary, not to special cases. If, under special circumstances a pension is granted long after an employee has retired, retrospective effect should not be given to it without the special orders of the Government which granted it; in the absence of special orders, such a pension takes effect only from the date of sanction

Section II- Payment

121. The order sanctioning a pension, death-cum-retirement gratuity/residuary, or family pension should be forwarded to the Audit Officer with the application, for issue of authority to make payments.

The Audit Officer will then communicate to the Officer who is to pay the pension, gratuity or family pension, authority to make the payment; in the case of pension or family pension such authority will be a Pension Payment Order.

122. Procedure in paying. – A gratuity is paid in a single sum, and not by instalments, on receipt of the Audit Officer's authority.

Note:- In the event of revision of pay, pension and dearness allowance with retrospective effect, Government reserves the right to release the residuary gratuity in instalments.

#G.O.(P) 38/2006/Fin.
dated 21/1/06
w.e.f. 1/3/97

123. A pension is payable monthly from the first of the same month under the following rules: -

- (i) On receipt of the pension Payment Order, the disbursing officer will deliver one half to the pensioner, and keep the other half carefully in such manner that the pensioner shall not have access thereto.
- (ii) Each payment made is to be entered on the reverse of both the pensioner's and the disbursing officer's halves of Pension Payment Order, both entries being attested at the time of payment under the dated signature of the disbursing officer.
- (iii) With reference to rules 135 and 136, a pension should, under no circumstances, be paid for the first time in arrears without the special sanction of the Government if it exceeds Rs. 1,000 and if the arrears do not exceed Rs. 1,000 payment may be authorized by the Audit Officer.

*(iv) On the death of a pensioner on any date during the course of a month, family pension, if eligible under the rules, shall commence from the first day of the succeeding month and it shall become payable on or after the first day of the month following that to which it relates.

* Substitution [G.O (P) 155/83/Fin., dated 26/3/1983.]

124. Liability for attachment. – No pension granted or continued by Government on political considerations or on account of the past service or present infirmities or as a compassionate allowance and no money due, or to become due, on account of any such pension for allowance shall be liable to seizure, attachment or sequestration by process of any Court in India at the instance of a creditor for any demands against the pensioner, or in satisfaction of a decree or order of any such Court.

RULING

Death-cum-retirement Gratuity is not attachable by a Court of law.

125. Identification of Pensioners. – As a rule, every pensioner must take payment in person after identification by comparison with the Pension Payment Order.

Note: - The Heads of Offices should at the time of transmitting the pension papers to the Audit Officer forward therewith two certified copies of the recent photographs of every pensioner, in passport size.

126. A pensioner specially exempted by the Government from personal appearance, a female pensioner not accustomed to appear in public, a pensioner who is unable to appear in consequence of bodily illness or infirmity may receive his or her pension upon the production of a life certificate signed by a responsible officer of the Government or by some other well known and trustworthy person.

Note: - The terms “responsible officer of the Government” and ‘well known and trustworthy person’ would refer to the following: -

1. Gazetted Employees of Government.
2. Sub Registrars
3. Magistrates
4. Honourary Bench Magistrates and Judges of Panchayat Court.
5. Advocates
6. Municipal Chairman, Councilors and Commissioners and Presidents of Panchayats.
7. * An Officer including Officers Grade II of the State Bank of India or Agent of any Scheduled Banks
8. Members of Parliament and the State Legislative Assembly
9. Mayors, Councilors and Commissioners of Corporation.

*[G.O. (P) 353/75/Fin., dated 2nd August 1975]

127. A pensioner of any description who produces life certificate signed by some person exercising the powers of Magistrate under the Criminal Procedure Code, or by any Registrar or Sub Registrar under the Registration Act, or by any pensioned officer who before retirement exercised the powers of a magistrate, or by any Gazetted employee of Government is also exempted from personal appearance.

128. (a) In all cases referred to in rule 126 and 127 the disbursing Officer must take precautions to prevent impositions, and must at least once a year require proof independent of that furnished every month by the life certificates of the continued existence of the pensioner.

(b) For this purpose he should (save in cases of exemption from personal appearance granted by the Government) require the production of annual life certificates issued by any of the following officers with the respective office seals affixed thereon as independent proof for the existence of the pensioners, along with the bill for pension for December every year: -

1. Gazetted employees
2. Village Officers
3. Sub Registrars

4. Sub Inspectors of Police

5. Executive Officers of Panchayats in respect of pensioners residing within the local limits of the panchayats concerned.

The disbursing officer should satisfy himself that the annual life certificate referred to above are only from persons other than those who issued life certificates for drawal of pensions for the preceeding eleven months.

Note:- The disbursing officer is personally responsible for any payment wrongly made. In case of doubt, he should consult the Audit Officer.

(c) In respect of pensioners who take pensions in person the disbursing officer should indicate the fact of personal mustering in both halves of the Pension Payment Order, under his dated signature.

129. Payment to Agents. – (a) A pensioner who resides in the state may draw his pension through a duly authorized agent processing a legally valid power of attorney who must produce a life certificate as referred to in Rule 126 and Rule 127 on each occasion unless the duly authorized agent has executed an indemnity bond to refund overpayments in which case he has to produce the life certificate as aforesaid at least once a year.

Note: - this procedure is applicable to all pensioners who reside outside the State also provided they obtain the previous permission of the Reserve Bank of India for such drawal of pensions.

(b) The pension of a person drawing his pension through an agent who has executed an indemnity bond to refund overpayments should not be paid for a period of more than one year after the date of the life certificates last received and the Audit Officers and the disbursing officer should be on the watch for authentic information of the death of any such pensioner, and on receipt thereof, should promptly stop further payments.

130. The pension of an insane person may be paid to a guardian appointed under the Indian Lunacy Act, 1912 (India Act IV of 1912) or to any person authorized by the government (or the pension sanctioning authority) to receive it. Such guardian or person shall be required to furnish with each claim a life certificate as prescribed in rule 126 stating that the pensioner was alive on the last day of the period for which the pension is claimed.

On the request of such pensioner for payment of pension due to him direct, the disbursing officer shall before making payment insist on the production of a certificate from a Medical Officer not below the rank of a Civil Surgeon to the effect that he is in a sound state of mind.

131. *Transfer of Pensions.* – A District Treasury Officer may, on application and on sufficient cause being shown, permit transfer of payment of pension from the District Treasury to a Sub Treasury subordinate to it or vice versa or from one Sub Treasury to another in the same District or to another District Treasury within the State. He shall intimate the Audit Officer the details of the transfer as soon as the transfer is effected.

Note: - The officer in charge of the Treasury from forward both halves of the Pension Payment Order to the other Treasury Officer with information as to the date upto, which the payment was made. On receipt of both halves of the Pension Payment Order the new Treasury Officer shall arrange for payment of future pensions.

132. *Certificate on Non-employment.* – (a) Pensioner drawing pension is required to append to the bill a certificate as follows: -

“ I declare that I have not received any remuneration for serving in any capacity in a Government establishment or in an establishment paid from Local Fund during the period for which the amount of pension claimed in this bill is due.”

Note:- The term “Local Funds” occurring in the certificate means any of the District, Municipal and Panchayat Funds, Education Funds, etc. and also any Local Funds, under the control of the Government of India.

(b) In the case of a pensioner permitted under Chapter VII to draw pension after re-employment, he shall append to his bill a certificate as follows: -

I declare that I have been employed/ re-employed in the office of the.and was in receipt of the following emoluments during the period for which the amount of pension claimed in this bill is due: -

| | Rs. | Ps. |
|-------------|-------|-------|
| Pay | | |
| Special Pay | | |
| Allowance | | |
| | | |
| Total | | |
| | | |

(c) A pensioner who immediately before retirement was a Grade 1 Officer should furnish in his bill a certificate in the following form till the expiry of two years from the date of his retirement: -

“ I declare that I have not received any remuneration for serving in any capacity which comes under the definition of commercial employment under the Note to Rule 106 without the sanction of Government during the period for which the amount of pension claimed in this bill is due.”

133. *Renewal of Pension Payment Order.* – When the reverse of a Pension Payment Order is used up or when the pensioner’s half is found to be worn out or torn, both halves should be returned to the District Treasury Officer concerned for renewal.

134. If a pensioner loses his half of the Pension Payment Order, a new order may be issued by the District Treasury Officer who should see that no payment is made on the half alleged to be lost by strict observance of sub-rule (ii) under rule 123.

Note: - Whenever a pensioner loses his portion of the Pension Payment Order; he should make an application to the Treasury Officer for a duplicate copy thereof with a fee of Rupees Two. This rule will not, however, make it less necessary to hold a strict investigation into the circumstances of the alleged loss. If the loss of the Pension Payment Order is due to accident or causes beyond the pensioner’s control, or if the pensioner is too poor to pay the fee, the Director of Treasuries may exempt him from payment.

135. *Lapses and forfeiture.* –If a pension remains undrawn for more than* three years the pension ceases to be payable. [G.O. (P) 38/2003/Fin dt 14/1/03] (w.e.f 25th July, 1998)
136. If the pensioner afterwards appears the disbursing officer may reclaim the Pension Payment Order and renew his payments. But the arrears cannot be paid (a) without the orders of the Audit Officer, and (b) if the pension in arrears is to be paid for the first time or if the amount of arrears exceeds *Rs. 75000/- without the previous sanction of the Government to be obtained through the Audit Officer. *[G.O(P)350/05/Fin. dt.27-7-05] w.e.f. 22/2/00.
137. If the suspension of payment is attributed to error or neglect by any Government employee, the Audit Officer may direct payment of the arrears without the order of the Government.
138. Deceased Pensioners. –
- (a) On the death of a pensioner payment of any arrears actually due may be made to his heirs, provided that they apply within one year of his death. It cannot be paid thereafter without the sanction of the authority by whom the pension was sanctioned to be obtained through the Accountant General.
- (b) But if the arrears do not exceed * Rs.100000/- and the case presents no peculiar features, the Audit Officer may sanction the payment of the arrears on his own authority *Substitution [G.O. (P) No. 350/05/ Fin. dt 27/7/2005] w.e.f 22/2/00.
- (c) After payment of the arrear of pension, both halves of the Pension Payment Order should be returned to the Audit Officer with a report of the date of death of the pensioner, except in the case of pensioners governed by the Contributory Family Pension Scheme in which case the pensioner's portion of the Pension Payment Order will be returned to the person nominated to receive the family pension and the disburser's portion retained by the Treasury Officer.

Note: - The fact of the death of the pensioner who is governed by the Contributory Family Pension Scheme and the fact of payment of family pension should be reported to the Audit officer quoting the relevant Pension Payment Order No. as soon as the information is brought to the notice of the Treasury.

139. Subject to the provisions of the preceeding Rule, the arrears of pension of a deceased pensioner may be paid to the heirs of the deceased without the production of the usual legal authority, to the extent of * Rs.75000/- on production of an heirship certificate issued by a Tahasildar (under the State Government) in whose jurisdiction the heirs of the deceased live. Any excess above Rs.*75000 may similarly be paid under the order of Government on execution of an indemnity bond in Form 8 with such sureties as they may require, if they are satisfied of the right and title of the claimant and consider that undue delay and hardship would be caused by insisting on the production of legal authority.

*Substitution
[G.O(P)350/05/ Fin.
dt 27/7/2005]
w.e.f 22/2/00.

CHAPTER X

RECORDS OF SERVICE

140. (a) A record of service of a Gazetted Government employee will be kept by the Audit Officer in such form as he may prescribe. When an employee passes from one audit circle to another, a record of his past service should be passed on by the audit Officer whose circle he leaves, to the Audit Officer to whose circle he is transferred.
- (b) When a Gazetted Government Employee is transferred to foreign service a copy of his service register will be sent by the Audit Officer whose duty it was to keep it , to the Audit Officer who will account for the contribution and the latter will return the register (or an extract from it) duly written up-to-date when the employee is re-transferred.
141. A Service Book in * Form-1 must be maintained for every non-gazetted employee with the following exceptions: -
- (a) Employees the particulars of whose service are recorded in a history of services or a service register maintained by an Audit Officer.
 - (b) Policemen of rank not higher than that of a Head Constable and members of the Fire Subordinate Service of and below the rank of Leading Fireman.
- *[G.O. (P) 281/79/Fin., dated 16th March 1979
142. In all cases in which a Service Book is necessary under Rule 141 such a book must be supplied by the employee at his own cost, on his first appointment to Government Service. It must be kept in the custody of the Head of the Office in which he is serving and transferred with him from office to office. The Service book shall not be returned to the employee on the termination of his service by retirement, resignation, dismissal or discharges from service without fault, as the case may be .It shall be retained by the Head of Office in which the employee last served for periods as under

- (i) Service Book of employee who has resigned 5 years from the date of resignation
- (ii) Service Book of employee who has been removed /dismissed
 - (a) 5 years, if no case is pending in any court.
 - (b) 3 years after final judgement under the normal course of law i.e.the last judgement of the highest court as established by law – where the court has upheld the Governments’ decision to remove/ dismiss the employee
- (iii) Service Book of employees who retire from service/dies while in service/have been retrenched 25 years from the date of retirement/ death/ retrench-ment.

Note. – The Service Book of an employee who has been dismissed and who is afterwards reinstated should on requisition be returned to the Head of the Office in which he is re-employed

A similar course should be adopted when an employee has been discharged without fault or resigns and is subsequently re-employed.

143. Every step in an employee’s official life must be recorded in his Service Book, and each entry must be attested by the Head of his Office, or, if he himself is the Head of an Office, by his immediate superior. The Head of the Office must see that all entries are duly made and attested, and that the book contains no erasure or overwriting all corrections being neatly made and properly attested.

INSTRUCTIONS

1. The entry in the Service book regarding date of birth should indicate on what evidence the date of birth was accepted. The following documents shall be considered as satisfactory proof of date of birth.

- (i) In the case of persons who have attended a recognized school/college the school leaving certificate or an authenticated extract of the admission register of the school or college where the employee last studied.

- (ii) In the case of others an authenticated extract from the birth register or the baptismal register or a certificate issued from a Muslim Jama-at, the correctness of which is certified by a gazetted employee or a certificate by a Magistrate or other well known or trustworthy person in the town or village or original copy of the horoscope, or correspondence at the time of birth supported by a declaration before the Head of Office or an affidavit of the parent of the person, or a close relative who has knowledge of the approximate date of birth of the person signed before an officer who is competent to administer oath.

These documents shall also be accepted in the case of persons who have attended a school/college but whose date of birth cannot be proved by the school or college records by reason of the fact that the relevant records of the school or college have after due enquiry been found destroyed.

2. Temporary and officiating promotions, reductions (with reasons) probation, increments, transfers and leave should be regularly and concurrently recorded each entry being duly verified with reference to departmental orders, pay bills, etc., and attested by the Head of the Office. If the Head of the Office has a gazetted assistant, the duty of attesting the entries may be delegated to the assistant.

All examinations passed both general and special including departmental tests, should be recorded in the Service Book. In respect of departmental tests, a reference to the part and the date of the Gazette and roll number of the candidate should be recorded.

3. When a non-gazetted employee is transferred whether permanently or temporarily, from one office to another, the necessary entry of the nature and reason of the transfer should be made in his Service Book in the office from which he is transferred and the book, after being duly verified to date and attested by the Head of that Office, should be transmitted to the Head of the Office to which the employee has been transferred who will thence forward the book maintained in his office. If he should find any error or omission in the book on receipt, he should return it to the forwarding officer for the purpose of having the error rectified or the omission supplied before the book is taken over by him. The Service Book should not be made over to the non-gazetted employee who has been transferred.

4. In the case of temporary officers under the Government of India on deputation to the state government who are subsequently absorbed in the service of the State Government specific entries should be made in their Service Book, at the time of their absorption in the State Service to the effect whether their absorption to the state Service, is in the public interest or otherwise and whether the continuous service under the Central Government prior to absorption in service under the State counts for pension under Note 2 below Rule 11, Part III, Kerala Service Rules or not.
5. In the case of those who have rendered war service with the permission of Government the Heads of Office will note under due attestation, in the Service Books of the persons concerned, that the deputation for war service was under the orders of the Government. The number and date of the order in which permission was granted should also be indicated therein.

Note. – Leave of all kinds except casual leave should be recorded in detail by the official entrusted with the preparations of the pay bill of the establishment and the entries verified and attested by the Head of the Office.

144. Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the Service Book and must be attested by the attesting officer. It is the duty of attesting officer to see that such entries are promptly made.

INSTRUCTIONS

When an employee is reduced to a lower post, dismissed or removed from service or suspended from employment or when the probation of the employee is terminated, the reason, for the reduction, dismissal, removal, suspension or the termination of the probation, as the case may be, should always be briefly stated; 'Reduced for inefficiency', 'probation

terminated on grounds of unfitness', etc. Interruptions in service and leave not counting for pension should specifically be recorded in the service Book. The details of all penalties and rewards should also be recorded in the service Book. In all the above cases the number and date of orders of competent authority should be recorded against the relevant entries in the Service Book along with which copies of the orders should be filed. The Head of Office should make efficient arrangements for these entries being made with regularity. The duty should not be left with the non-gazetted employee concerned.

145. Personal certificates of character must not, unless the head of the department so directs, be entered in the Service Book, but if an employee is reduced to a lower substantive post, the reason of the reduction must be briefly shown.
146. It is the duty of every employee to see that the Service Book is properly maintained as prescribed in Rules 143 and 144 in order that there may be no difficulty in verifying his service for pension. The Head of the Office should therefore permit an employee to examine his Service Book should be at any time desire to do so.

GOVERNMENT DECISION

- (i) Each non-gazetted employee may be required to produce an extra copy of blank Service Book at his cost. On production of the book, the Head of Office will make available to him his original Service Book for copying the entries in the blank register then and there. The duplicate prepared by the non-gazetted employee will be arranged to be carefully checked with the original and each entry attested by the Head of Office. The words "DUPLICATE COPY" will be recorded in red ink at the top of the first page and attested by the Head of Office or his authorized Assistant and thereafter it will be handed over to the non-gazetted employee for safe custody. The annual verification of Service Book is made in April every year and the annual report regarding verification is submitted to

Government by the Head of Department by the 1st June. The non-gazetted employee may, therefore, make the duplicate copy of the Service Book with him up to date by reference to the original at any time after the 1st June but before the end of August every year and get the entries attested by the Head of Office.

A certificate to the effect that “the duplicate Service Book has been compared and found to be true and complete copy” should be recorded by the Head of the Office at the time of copying the certificate of annual verification.

- (ii) The original Service Book will continue to be the primary record for all official purposes. It is only when the original is lost that reliance will be placed on the entries in the duplicate. Even in such contingency, doubtful entries will be verified to the extent possible with reference to relevant records. A note to this effect will be recorded in the duplicate Service Book and attested by the Head of Office.
- (iii) In cases where the entries in the duplicate Service Book have been relied upon for determining the title of the non-gazetted employee to payment of any kind, an undertaking should be obtained from the employee concerned to the effect that he agrees to refund any over-payment of pay / pension, etc., found to have been made on the basis of entries in the duplicate Service Book.
- (iv) The Head of Office is responsible for the safe custody of the original service Book and as such, he will ensure against the disappearance, loss or destruction of the Service Book due to carelessness or negligence.

Every case of loss of the original Service Book and consequent resort to the duplicate Service Book for regulating payments etc., should be reported to the Accountant General and the Government with a detailed explanation of the circumstances, and in such cases personal

responsibility for the loss of the original service Book will be fixed and where necessary, disciplinary action taken against the employees responsible.

147. If an employee is transferred to Foreign service the Head of his Office or department must send his Service Book to the Audit Officer. The Audit Officer will return it after noting in it, under his signature the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during Foreign Service and any other particulars, which he may consider to be necessary. On the employee's retransfer to Government Service, his service Book must again be sent to the Audit Officer, who will then note in it over his signature, all necessary particulars connected with Foreign service. No entry relating to the time spent in Foreign service may be attested by any authority other than the Audit Officer.
148. In the case of policemen of rank not higher than that of head constable; there must be maintained for each district by the District Superintendent of Police and in the case of members of the Fire Subordinate service of and below the rank of Leading Fireman in each region, by the Regional Fire Officer a Service Roll in which the following particulars should be recorded for each man in the constabulary or Fire Force holding substantively a permanent post and for each man in such constabulary or Fire Force officiating in a post or holding a temporary post:-
- (a) The date of his enrolment.
 - (b) His village.
 - (c) His caste, tribe, date of birth, height and marks of identification when enrolled.
 - (d) The rank, which he from time to time holds, his promotions and his reductions or other punishments.
 - (e) His absence from duty, with or without leave.
 - (f) Interruptions in his service.

- (g) Every other incident in his service, which may involve forfeiture of a portion of it or may affect the amount of his pension.

The Roll must be checked by the order book and the punishment register and every entry in it must be signed by the District Superintendent, or the Regional Fire Officer, as the case may be.

- 149. A Service Roll as described in Rule 148 must be maintained for every other class of permanent, temporary or officiating non-gazetted employee for whom no Service Book is necessary.
- 150. *Annual Verification*- The Service Books and Rolls in each office should be taken up for verification in April of every year by the Head of the Office, who after satisfying himself that the services of the employee concerned are correctly recorded in his Service Book or Roll in conformity with the above instructions and that there are no liabilities against the employee during the period, should record therein a certificate in the following words over his signature:- “Services verified up to(date) from(pay bills, acquaintance rolls and similar records to be specified by reference to with the verification was made)”. The Head of Office in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records, distinctly state that for the excepted periods (to be specified). A statement in writing by the employee as well as records of evidence of his contemporary employees is attached to the Book or Roll. Head of Offices may delegate the duties imposed upon them to their gazetted assistants, if any. They should, however, inspect at least 10 per cent of the Service Books and Rolls and initial them in token of having done so unless the Government specially fix a lower percentage in any case.

Note.1- The verification of service referred to above should be in respect of all service qualifying for pension.

Note.2- Each Head of Department should send to

Government on the 1st June each year an annual report that the annual verification of service Books of all subordinate employees has been completed. This report should include a certificate to the effect that the Service Books of all persons due to retire within five years have been forwarded to the Audit Office for check. If there are any exceptions they should be mentioned in the reports with the reasons for the delay. In the same report they should also certify that no liabilities have been brought to notice against the several employees of the department during and up to the end of the previous year except in the cases (to be mentioned) where the action taken to settle the liabilities should be reported. For this purpose they may obtain the necessary reports from their subordinate officers and consolidate the report and send them to Government in duplicate, Government will forward one copy to the Accountant General by the 1st July of the year.

151. *Periodical Inspection*- It is the duty of officers inspecting subordinate offices to inspect the Service Books maintained there. They should see that they are maintained up –to-date, that entries are properly made and attested, that verification has been properly carried out and the necessary statement and evidence secured and verification certificates have been properly recorded by the Head of Office.

By order of the Governor

K. JOSE CYRIAC
PRINCIPAL SECRETARY (FIN.)

LIST OF APPENDICES

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APPENDIX - X

[Referred to in Rules 69, 102(a) (ii) and 106 of
Part III, K.S.R.]

PART A

Pension (Commutation) Rules

1. (a) These rules may be called the Kerala Pension (Commutation) Rules.
(b) They shall be deemed to have come into force on the 1st November 1959.

2. The powers granted by these rules shall be exercised by the authority competent to sanction pension.

3. An officer shall be entitled, subject to the conditions hereinafter specified, to commute for lump payment any portion not exceeding #one-third, of any pension which has been, or may be granted to him under rules, provided however that the uncommuted residue of pension shall not be less than Rs.240 per annum:

#[G.O(P) 29/06/Fin.
dt. 19/1/06]
w.e.f. 1/4/94

Provided further that an officer against whom judicial [@ or a departmental] proceeding has been instituted or a pensioner, against whom any such proceeding has been instituted or continued under Rule 3 of Part III, shall not be permitted to commute any part of his pension during the pendency of such proceeding.

@ deleted
w.e.f. 27/3/02
[G.O.(P)34/06/Fin.
dt. 20/1/06]

4. All applications for commutation of pension shall be addressed to the authority competent to sanction pension.

5. (1) On receipt of an application for commutation, the sanctioning authority shall transmit to the applicant a copy of the Account Officer's certificate of the lump sum payable on commutation in the event of his being reported by such medical board (authority) as the sanctioning authority may prescribe to be a fit subject for commutation and shall, at the same time, instruct him to appear for examination before the said board (authority) within three months from the date of its order or if he has applied for commutation in advance of the date of his retirement within the three months of that date but *after the actual date of retirement. This intimation shall constitute administrative sanction to commutation, but shall lapse if the medical examination does not take place within the period prescribed in the sanctioning order. If the applicant does not appear for examination before the said medical board (authority) within the prescribed period, the sanctioning authority may, at his discretion renew administrative sanction for a further period of three months without obtaining a fresh application for commutation of pension. The applicant may withdraw his application by written notice despatched at any time before medical examination is due to take place, but this option shall expire on his appearance before a medical authority:
- *[G.O.(P)14/76/Fin.,
dated 13th January
1976]

Provided that if the medical board (authority) directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice despatched within two weeks from the date on which he receives intimation of the revised sum payable on commutation, or if this sum is already stated in the sanctioning order, within two weeks from the date on which he receives intimation of finding of the medical board (authority)

If the applicant does not withdraw in writing his application within the period of two weeks prescribed above, he shall be assumed to have accepted the sum offered.

Note- An application for commutation of pension made in advance of the date of retirement shall be entertained only if it is made not earlier than three months of the date of retirement. [G.O.(P)382/76/Fin., dated 15-12-1976.]

(2) Subject to the provisions contained in clause (3) and to the withdrawal of an application under the proviso to clause (1) of this rule, the commutation shall become absolute, that is, the title to receive the commuted portion of the pension shall cease and the title to receive the commuted value shall accrue, on the date on which the medical board (authority) signs the medical certificate. Payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. {*The date of effect for the reduction in pension shall be the 1st of the months in which the commuted value is drawn by the pensioner or 1st of the 4th month of the issue of authorization by the Accountant General including the month of issue of authorization whichever is earlier} *[G.O.(P)225/81/Fin., Dated 6th April 1981]

(3) If the applicant makes any statement found to be false (within his knowledge) or willfully suppresses any material fact in answer to any question, written or oral put to him in connection with his medical examination, the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of Rule 2 of Part III of the Kerala Service Rules.

Note:- The Board referred to in the rules shall be held at the General Hospital, Trivandrum, with the Director of Health Services as Chairman and shall consist of the following members:-

One physician and a surgeon of I Grade Civil Surgeon's rank from the General Hospital, Trivandrum and the Superintendent, Ophthalmic Hospital to do eye-testing. If any one, either the, physician or surgeon is absent, a surgeon or physician from the Medical College Hospital will be co-opted for the board meeting.

“5 A. Notwithstanding anything contained in rule 5, medical examination shall not be necessary for commutation of pension if the application for commutation of pension is made within one year of the date of retirement in the following cases, namely :

- (i) retirement on superannuation;
- (ii) retirement under rule 56 of Part III Kerala Service Rules;
- (iii) State Government employee who are granted a pension on absorption in or under a Corporation, Company or body under the orders governing permanent absorption and who elect to receive monthly pension and Death-cum-Retirement Gratuity
- (iv) a compensation pension under Rule 33 of Part III of the Kerala Service Rules”. [G.O.(P)642/81/Fin., dated 13th October 1981]
This amendment takes effect on and from 9th July 1979.
- (v) * a pension in whole or in part sanctioned on finalisation of the departmental or judicial proceedings referred to in rule 3 of Part III of the Kerala Service Rules. *[G.O.(P)303/85/Fin., dated 24th May1985]
- (vi) * In the case of pensioners who have been sanctioned anticipatory pension under rule 116 of Part III of Kerala Service Rules.

Note-1 For the purpose of this rule, the date of application for commutation of pension shall be the date of receipt of application by the Accountant General/the pension sanctioning authority.

- #Note-2 Date of retirement on a superannuation means the date on which the Government Servants quit service on superannuation. In the case of extension of service, the date of expiry of such extension shall be reckoned as the date of retirement on superannuation. #G.O.(P)No.991/79/Fin . dt. 7th Nov. 1979
- @Note-3 In the case of an applicant referred to in item (ii) or (iii) above where the order retiring him from Government service has been issued with retrospective effect, the period of one year of retirement shall be reckoned from the date of issue or the order. @ G.O.(P) 303/85/Fin. dt.24th May 1985
- @Note-4 In the case of an applicant referred to in item (v) above the period of one year of retirement shall be reckoned from the date of issue of the order on the conclusion of the departmental or judicial proceedings.
- *Note-5 On conclusion of Judicial proceedings, if there is no punishment, calculation shall be made on the basis of the commutation factor at the time of original application and if there is punishment or reduction of pension, the calculation shall be made on the age at next birthday subsequent to the date of awarding punishment. *G.O.(P) No.34/06/Fin. dated 20/1/06. w.e.f. 27/3/02.
6. The lumpsum payable on commutation shall be calculated in accordance with a table or tables present values which shall be prescribed by Government and *rounded off to the next highest rupee. For the purposes of this rule, the age in the case impaired lives shall be assumed to be such age, not being less than the actual age, as the certifying medical authority may direct. In the event of the table of present values applicable to an applicant having been modified between the date of administrative sanction to commutation and the date on which commutation is due to become absolute, payment shall be made in accordance with the modified table but it shall be open to the applicant if the modified table is less favourable to him than that previously in force to withdraw his application by notice in writing despatched within 14 days of the date on which he receives notice of *(Circular Memorandum No. 127/67 Fin., dated 21st October 1967) *(G.O.(P)303/85/Fin., dated 24th May 1985]

the modification.

Note.- The arrears on commuted value of pension due to retrospective pay revision and pension revision can be paid in instalments, if circumstances warrant so.

G.O.(P)38/06/Fin.
dt.21/1/06.
w.e.f.1-3-97.

**6A(1) The commuted portion of pension shall be restored from the first of the month following the month in which a period of twelve years elapses from the date of commutation, ie, the date of reduction in pension after commutation in cases where commutation is done at retirement at the age of 55, and in other cases the term for restoration shall be determined with reference to the commutation factor (rounded) in each case.

**G.O.(P)29/06/Fin.
dt. 19-1-06.
w.e.f.1-7-1988.

(2) No Pensioner shall be entitled to commute his Pension, again on the ground that the commuted portion has been restored to him.

[G.O.(P)150/85/Fin.
dated 12/3/1985]

7. If the pensioner dies on or after the days on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

Government Decision No. 1

In such cases the commuted value shall be paid to the heirs of the deceased, without the production of the usual legal authority, to the extent of Rs.2500/- (Rupees Two thousand and five hundred) on production of an heirship certificate issued by a Tahsildar (under the State Government) in whose jurisdiction the heirs of the deceased live. Any amount exceeding Rs.2500 (Two thousand and five hundred) shall similarly be paid under the orders of Government on execution of an indemnity bond in Form 8 with such sureties, as they may require, if they are satisfied of the right and title of the claimant and consider that undue delay and hardship would be caused by insisting on the production of legal authority.

[G.O.(P)423/83/Fin.
dt.23rd July 1983]

Government Decision No. 2

In case where a legal heir desires another major legal heir to receive his share of commuted value on his behalf (without actually relinquishing his/her claim) a power of attorney in the form as given in the Government Decision below Rule 67 should be insisted upon from the former. The power of attorney must be in a stamp paper worth rupees three and need not be registered in such cases but may be authenticated by Tahasildar, a Notary Public, or any Court, Judge or Magistrate, etc.

[G.O.(P)440/85/Fin.
dt.2nd August 1985]

PART - B

Procedure for the Commutation of Pensions * on Medical Examination

An application for commutation of pension on medical examination should be made in Part I of Form A appended to these rules accompanied by two passport size photographs (one duly attested and other without attestation) and addressed :

* This amendment shall be deemed to have come into force with effect on and from the 31st May 1978.

[G.O.(P)991/79/Fin.,da
ted 7th November 1979]

- (i) If the applicant is still in service or has retired but his pension has not yet been sanctioned, to the authority competent to sanction his pension, through the Head of the Office in which he is or was employed or if he is or was himself the Head of the Office, through the Head of his Department.
- (ii) Otherwise to that authority through the Accounts Office of the State in which the Treasury from which the pensioner draws his pension is situated.

Note:- The attested copy will be pasted in Part I of Form A and the other copy loosely attached to it.

2. The application addressed to the authority specified in rule (i) above should be transmitted forthwith to

the Accounts Officer who is reporting on the title to pension.

3. The Accounts Officer should complete Part II of Form A without delay and transmit it, together with copies of the Medical reports mentioned in the concluding portion of regulation 5 (ii) below, if they are on record in his office, to the authority competent to sanction the commutation, whether that authority is correctly named in Part I or not.
4. The authority competent to sanction commutation should thereupon accord his administrative sanction in Part III of Form A.
5. The sanctioning authority should then – (i) transmit to the applicant on Form B a certified copy of the Accounts officers, certificate contained in Part II of Form A, and one copy of Form C, Part I of which is to be filled in by the applicant before his medical examination and handed to the Medical authority; and (ii) forward to the Director of Health Services in original the completed Form A, together with a copy of Form C, a copy of the attested photograph sent along with the application as in Rule I above and an extra copy of Part II that form, and, if the applicant has been granted an invalid pension, or has previously commuted any portion of his pension (or declined to accept commutation on the basis of an addition of years to his actual age, or has been refused commutation on medical grounds copies of the previous medical reports or statements of his case.
6. The Director of Health Services should arrange for the medical examination of the applicant by the authority prescribed in rule 7 below at the nearest available station to that named by the applicant in Part I of Form A and as early as possible within the period prescribed and inform the applicant direct. The form and other documents should be transmitted by the Director of Health Services to the examining medical authority.
7. (i) Before any commutation administratively sanctioned becomes absolute, the applicant

must be examined by the proper medical authority hereinafter prescribed.

- (ii) Applicants for commutation of pension *(on medical examination) will not be allowed to select their own medical officers. They will be ordered to appear for medical examination before the District Medical Officer of the district in which they draw their pensions or any other Medical Officer selected by Government. In cases when the capitalized value inclusive of the amounts paid on account of previous commutations is Rs.10,000† or more the applicants will be sent for examination before the Standing Medical Board without any preliminary medical examination.

*[G.O.(P)991/79/Fin., dated 7th November, 1979]

†[G.O.(P)76/78/Fin., dated 16th January, 1978]

In the case of an applicant who has been granted an invalid pension the grounds of invalidating or the statement on the medical case shall be communicated to the certifying authority before the certificate is signed. A copy of the previous medical report or reports, if any, relating to an applicant for commutation of pension shall always be communicated to the certifying medical authority when a medical report is called for from him on a subsequent application for commutation.

- (iii) The Medical authority after obtaining from the applicant a statement in Part I of Form C (which must be signed in its presence) shall subject him to a strict examination, enter the result in Part II of Form C and record its opinion as to the accuracy with which the pensioner has answered the question prescribed in Part I regarding his medical history and habits. Lastly, it shall attest the unattested copy of the photograph of the pensioner and complete the certificate contained in Part III of Form C; and in the case of non-gazetted Government employees other than those specially exempted by Government, obtain in its presence the left hand thumb impression.

- (iv) In the case of an applicant who has been or is about to be granted an invalid pension, the grounds of invalidating or the statement of the medical case shall be duly considered by the certifying, medical authority before the certificate (Part III of Form C) is signed.
- (v) The fee for medical examination for commutation for pension shall be Rs.16 whether the medical examination is conducted by a single medical officer or by the Standing Medical Board, provided that in the case of pensioners drawing Rs.30 and less a month, the fee shall be Rs.10 irrespective of whether the examination is conducted by a single medical officer or by the Standing Medical Board. 25 per cent of the fee in either case shall be remitted into treasury to the credit of the Government under the head “XXIII Medical Miscellaneous – other items” and the balance given to the medical officer or the Medical Board at the time of examination.
- (vi) The ultimate medical authority shall, without delay forward the completed Form A and C in original and the copy of photograph attested by it to the Accounts Officer who gave the certificate contained in Part II of Form A, a certified copy of the completed Form C to the Sanctioning authority, and a certified copy of Part III of Form C to the applicant.

*Note-1:- Rectification of the original certificate of the District Medical Officer if any should be obtained and documents sent to the Accountant General by the standing Medical Board within three months from the date of receipt of the Medical Certificates from the District Medical Officer.

*[G.O.(P)272/75/Fin., dated 27th June, 1975]

If, however, the Board finds it difficult to process any particular case within this time limit, the fact should be intimated to the

officer who issued administrative sanction and extension of time not exceeding one month obtained. Further extension of time should be sanctioned only by the Government.

Note-2:- Reciprocal arrangements have been entered into with the Mysore Government to the effect that officers including Police Personnel of one State while staying in the other will be examined by Medical Board or a Medical Officer employed under the Government of the State concerned for the purpose of commutation of pension. A medical requisition from the competent authority will be required before the medical examination is conducted. The fees fixed for medical examination in this case should be borne by the pensioner.

The Accounts Officer on receipt of the completed Form A and C and copy of photograph attested by the medical authority shall arrange forthwith for the payment of the appropriate commuted value and for the corresponding reduction of pension. He shall also forward to the disbursing officer Form C containing the signature and the thumb and finger impressions taken in the presence of the medical authority and copy of photograph attested by it with instructions that they should be verified with those received with the pension payment order.

8. * A pensioner whose application for commutation of pension is rejected on the recommendation of a medical authority that he is not a fit subject for commutation of pension or who has declined to accept commutation on the basis of addition to his actual age, as recommended by the Medical Authority will be allowed one re-examination by the Medical Board at his cost, provided that an interval of not less than one year has elapsed between the first medical examination and the second. The Medical Board re-examining the pensioner will be furnished with a copy of the report of the medical authority, which previously examined him.

*[G.O.(P)193/67/Fin.,
dated 23rd May, 1967]

PART – C
Procedure for Commutation of Pension without
Medical Examination

1. An application for commutation of pension without medical examination shall be in Form D appended to these rules and shall be sent to the authority competent to sanction the pension of applicant.
 - (i) If the applicant is still in service or has retired but pension has not yet been sanctioned, through the head of the office in which he is or was employed or if he is or was himself the head of an office through the Head of his Department;
 - (ii) In other cases through the Accounts Officer of the State in which the Treasury from which the pensioner draws his pension is situated.
2. The application addressed to the authority specified in clause (1) of Rule 1, shall be transmitted forthwith to the Accounts Officer who is to report on the entitlement of the pension to the applicant.
3. The Accounts Officer shall complete Part II of the Form without delay and transmit in to the authority competent to sanction commutation.
4. The authority competent to sanction commutation shall there upon record his administrative sanction in Part III of the Form. If the application for commutation is received in advance of the date of retirement of the employee, the commutation shall be sanctioned only after his retirement.
5. The commutation shall become absolute on the date on which the authority competent to sanction the pension accords sanction for the commutation.
 - (i) In cases where application of pension is submitted on or before the date of retirement commutation shall become absolute on the date following the date of retirement. In such cases, pension-sanctioning authority will accord advance sanction for commutation also and then forward the application for commutation to the Accountant General for verification and authorization of payment.

- (ii) In cases, where application for commutation of pension is submitted after the date of retirement but before the expiry of one year from the date of retirement, commutation shall become absolute on the date of receipt of the application by the pension sanctioning authority, Accountant General.

Provided that in the cases covered by items (ii), (iii) and (v) of Rule 5A of Part A, the period of one year shall be reckoned from the date of issue of orders retiring the person from Government service or the date of issue of orders on the conclusion of the departmental or judicial proceedings, as the case may be.

- (iii) The date of effect for the reduction in pension shall be the first of first month in which the commuted value is drawn by the pensioner or the first of the fourth month of issue of authorization by the Accountant General, including the month of issue of authorization which ever is earlier.

Substitution
[G.O(P)303/85/Fin.,
dated 24/5/1985]

This amendment shall be deemed to have come into force with effect on and from 31st May 1978.

[G.O.(P)991/79/Fin.
dated 7-11-1979]

PART – D*

Procedure for the Restoration of the commuted portion of Pension.

- (i) A Pensioner who is eligible for the restoration of the commuted portion of the pension as per Rule 6A, in Part A in Appendix-X shall send an application in the 'Form E' in Appendix-X in the Annexure, directly to the Accountant General, Kerala.
- (ii) The Pensioner shall also append a life certificate with the application.
- (iii) The Accountant General shall issue an authorization to the pension disbursing authority for restoring the original pension with copy to the pensioner.
- (iv) The pension disbursing authority shall immediately revise the entries relating to the quantum of pension in the records maintained in his office and also in the pension payment order when produced by the pensioner.
- (v) The pension disbursing authority shall ensure that there is no avoidable delay in making the payment of the amount due to the pensioners consequent on the restoration of their commuted portion of pension.

[G.O.(P)610/98/Fin.,
dated 10th February,
1998]

[This shall be deemed to have come into force with effect from 1st day of April 1983]

ANNEXURE – I
Commutation Table Prescribed under rule 6 of the
Pension(Commutation) Rules
(Appendix X of Kerala Service Rules)

| Age next birthday | Commutation value expressed as number of years purchase | Age next birthday | Commutation value expressed as number of years purchase |
|-------------------|---------------------------------------------------------|-------------------|---------------------------------------------------------|
| (1) | (2) | (1) | (2) |
| 17 | 20.33 | 51 | 13.07 |
| 18 | 20.22 | 52 | 12.75 |
| 19 | 20.11 | 53 | 12.42 |
| 20 | 19.99 | 54 | 12.09 |
| 21 | 19.87 | 55 | 11.75 |
| 22 | 19.75 | 56 | 11.42 |
| 23 | 19.61 | 57 | 11.08 |
| 24 | 19.48 | 58 | 10.73 |
| 25 | 19.33 | 59 | 10.39 |
| 26 | 19.18 | 60 | 10.05 |
| 27 | 19.02 | 61 | 9.70 |
| 28 | 18.86 | 62 | 9.36 |
| 29 | 18.69 | 63 | 9.02 |
| 30 | 18.51 | 64 | 8.68 |
| 31 | 18.32 | 65 | 8.34 |
| 32 | 18.13 | 66 | 8.00 |
| 33 | 17.93 | 67 | 7.67 |
| 34 | 17.72 | 68 | 7.34 |
| 35 | 17.50 | 69 | 7.02 |
| 36 | 17.28 | 70 | 6.70 |
| 37 | 17.05 | 71 | 6.39 |
| 38 | 16.80 | 72 | 6.09 |
| 39 | 16.56 | 73 | 5.80 |
| 40 | 16.30 | 74 | 5.51 |
| 41 | 16.04 | 75 | 5.23 |
| 42 | 15.77 | 76 | 4.96 |
| 43 | 15.49 | 77 | 4.70 |
| 44 | 15.21 | 78 | 4.45 |
| 45 | 14.92 | 79 | 4.20 |
| 46 | 14.62 | 80 | 3.97 |
| 47 | 14.32 | 81 | 3.75 |
| 48 | 14.02 | 82 | 3.54 |
| | | 83 | 3.34 |
| 49 | 13.71 | 84 | 3.15 |
| 50 | 13.39 | 85 | 2.97 |

[This table takes effect from 28th November 1963 – vide G.O.(P) 599/Fin., dated 28th November 1963.]

[This table is applicable to the officers governed by the Madras Civil Pension (Commutation) Rules, 1944 with effect from 2nd January 1964 – G.O.(P) 5/64/Fin., dated 2nd January 1964].

Note:- This table is based on a rate of interest of 4 percent per annum.

ANNEXURE – II

Commutation Table Revised Prescribed under rule 6
of the Pension(Commutation) Rules
(Appendix X of Kerala Service Rules)

| Age next birthday | Commutation value expressed as number of years purchase | Age next birthday | Commutation value expressed as number of years purchase |
|-------------------|---------------------------------------------------------|-------------------|---------------------------------------------------------|
| | | | |
| 17 | 19.24 | 52 | 12.50 |
| 18 | 19.15 | 53 | 12.20 |
| 19 | 19.06 | 54 | 11.89 |
| 20 | 18.96 | 55 | 11.58 |
| 21 | 18.86 | 56 | 11.26 |
| 22 | 18.76 | 57 | 10.94 |
| 23 | 18.64 | 58 | 10.62 |
| 24 | 18.53 | 59 | 10.29 |
| 25 | 18.40 | 60 | 9.97 |
| 26 | 18.28 | 61 | 9.64 |
| 27 | 18.14 | 62 | 9.31 |
| 28 | 18.00 | 63 | 8.99 |
| 29 | 17.85 | 64 | 8.66 |
| 30 | 17.70 | 65 | 8.34 |
| 31 | 17.54 | 66 | 8.01 |
| 32 | 17.37 | 67 | 7.69 |
| 33 | 17.20 | 68 | 7.37 |
| 34 | 17.01 | 69 | 7.06 |
| 35 | 16.82 | 70 | 6.75 |
| 36 | 16.62 | 71 | 6.45 |
| 37 | 16.42 | 72 | 6.15 |
| 38 | 16.20 | 73 | 5.86 |
| 39 | 15.98 | 74 | 5.58 |
| 40 | 15.75 | 75 | 5.30 |
| 41 | 15.52 | 76 | 5.03 |
| 42 | 15.27 | 77 | 4.78 |
| 43 | 15.02 | 78 | 4.52 |
| 44 | 14.76 | 79 | 4.28 |
| 45 | 14.50 | 80 | 4.05 |
| 46 | 14.23 | 81 | 3.83 |
| 47 | 13.96 | 82 | 3.62 |
| 48 | 13.68 | 83 | 3.42 |
| 49 | 13.39 | 84 | 3.23 |
| 50 | 13.10 | 85 | 3.04 |
| 51 | 12.80 | | |

Takes effect from 2nd
May 1967 G.O. (P)
164/67/Fin., dated 2nd
May 1967.

Note:- This table is based on a rate of interest of 4.75 percent per annum.

ANNEXURE – III

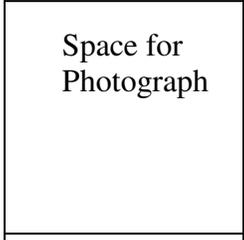
**Commutation Table Prescribed under rule 6 of the
Pension(Commutation) Rules
(Appendix X of Kerala Service Rules)**

Commutation value for a Pension of Re.1 per annum

| Age next birthday | Commutation value expressed as number of years' purchase | Age next birthday | Commutation value expressed as number of years' purchase | Age next birthday | Commutation value expressed as number of years' purchase | Age next birthday | Commutation value expressed as number of years' purchase |
|-------------------|----------------------------------------------------------|-------------------|----------------------------------------------------------|-------------------|----------------------------------------------------------|-------------------|----------------------------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 17 | 19.18 | 34 | 17.11 | 51 | 12.95 | 68 | 7.53 |
| 18 | 19.20 | 35 | 16.92 | 52 | 12.66 | 69 | 7.22 |
| 19 | 19.11 | 36 | 16.72 | 53 | 12.35 | 70 | 6.91 |
| 20 | 19.01 | 37 | 16.52 | 54 | 12.05 | 71 | 6.60 |
| 21 | 18.91 | 38 | 16.31 | 55 | 11.73 | 72 | 6.30 |
| 22 | 18.81 | 39 | 16.09 | 56 | 11.42 | 73 | 6.01 |
| 23 | 18.70 | 40 | 15.87 | 57 | 11.10 | 74 | 5.72 |
| 24 | 18.59 | 41 | 15.64 | 58 | 10.78 | 75 | 5.44 |
| 25 | 18.47 | 42 | 15.40 | 59 | 10.46 | 76 | 5.17 |
| 26 | 18.34 | 43 | 15.15 | 60 | 10.13 | 77 | 4.90 |
| 27 | 18.21 | 44 | 14.90 | 61 | 9.81 | 78 | 4.65 |
| 28 | 18.07 | 45 | 14.64 | 62 | 9.48 | 79 | 4.40 |
| 29 | 17.93 | 46 | 14.37 | 63 | 9.15 | 80 | 4.17 |
| 30 | 17.78 | 47 | 14.10 | 64 | 8.82 | 81 | 3.94 |
| 31 | 17.62 | 48 | 13.82 | 65 | 8.50 | 82 | 3.72 |
| 32 | 17.46 | 49 | 13.54 | 66 | 8.17 | 83 | 3.52 |
| 33 | 17.29 | 50 | 13.25 | 67 | 7.85 | 84 | 3.32 |
| | | | | | | 85 | 3.13 |

Note :- This table is effective from 12th July 1971-G.O.(P) 402/71/Fin., dated 12th July 1971.

FORM - A
Commutation of Pension *on Medical Examination



PART, I-FORM OF APPLICATION

I desire to commute Rs.
of my †. Pension of Rs.
a month. I certify that I have answered correctly each and all
of the questions below:

Place.....
Date20.....

Signature
Designation.....
Address.....

Questions

Answers

1. What is the date of your birth?
2. How much of your pension do you wish to commute ?
3. a) Have you already commuted a portion of your pension? If so, give particulars.

b) Has any application from you for commutation of pension ever been rejected, or have you ever accepted/declined to accept commutation of pension on the basis of an addition of years to your actual age recommended by the medical authority? If so, give particulars.
4. From what treasury do you draw or propose to draw your pension and commutation money?
5. If you are already drawing your pension, quote the No. of your Pension Payment order
6. Without prejudice to the discretion of the sanctioning authority, from what date approximately do you wish this

commutation to have effect? [See rule 5 of the Pension (Commutation) Rules]

7. At what station (near the area in which you are ordinarily resident) would you prefer your medical examination to take place?
8. Has any judicial or departmental proceeding been instituted against you and is continuing now?

Place
Date20.....
.....

Signature

Forwarded for report to (here enter the designation and address of the Accounts Officer)

Place
Date20.....
.....

Signature

Designation.....

*[G.O.(P) 991/79/Fin., dated 7th November 1979]

† *The class of pension (Superannuation, retiring, invalid, compensation) should be stated, and if the amount is not known a suitable modification should be made in the Form.*

PART - II

1. Forwarded to (here enter the designation and address of the sanctioning authority).
2. Subject to the medical authority's recommending commutation, the lump sum payable will be as stated below:

| | |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sum Payable, if the commutation becomes absolute before the applicant's next birthday, which falls on | On the basis of normal age, i.e; year, Rs. do. do. Plus 1 year i.e; ... years Rs. do. do. Plus 2 years i.e; ... years Rs. do. do. Plus |
|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sum payable if the commutation becomes absolute after the applicant's next birthday but one | On the basis of normal age, i.e; years Rs. do. do. Plus 1 year i.e; ... years Rs. do. do. Plus 2 years ie; ... years Rs. do. do. Plus |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|

3. The sum payable will be debited to :-

Station

Date

Signature and designation of
Accounts Officer.

PART – III

Administrative sanction is accorded to the above commutation. A certified copy of paragraph 2 of Part II of the Form has been forwarded to the applicant in Form B.

Place Signature
Date20..... Designation.....

*Forwarded to (here enter the designation and the address of the Chief Administrative Medical Officer) in original on with the request that he will arrange for the medical examination of the applicant by the proper medical authority as early as possible within three months from (here enter the date) but not earlier than the(here enter the date of retirement) and inform the applicant direct in sufficient time where and when he should appear for the examination.

* With one copy of Form C and an extra copy of Part III of the Form.

†The next birthday of the applicant fall on 20..... and his medical examination may be arranged before that date but within the period prescribed in the sanctioning order.

† To be struck out when the next birthday falls beyond the prescribed date.

Signature and designation of the sanctioning authority

FORM – B
PART – I

Subject to the authority's recommending commutation, and the conditions prescribed in part II of this Form, the lump sum payable will be as stated below:

| | | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------|------|
| Sum Payable, if the commutation becomes absolute before the applicants, next birthday, which falls on | On the basis of normal age, | |
| | i.e; years | Rs. |
| | do. do. | Plus |
| | 1 year i.e; years, | Rs. |
| | do. do. | Plus |
| | 2 years i.e; years | Rs. |
| do. do. | Plus | |

| | | |
|----------------------------------------------------------------------------------------------------------------------------|-----------------------------|------|
| Sum payable, if the commutation becomes absolute after the applicant's next birthday, but before his next birthday but one | On the basis of normal age, | |
| | i.e; years | Rs. |
| | do. do. | Plus |
| | 1 year i.e; years, | Rs. |
| | do. do. | Plus |
| | 2 years i.e; years | Rs. |
| do. do. | Plus | |

Station Signed.....
Date20..... *Signature and designation of Accounts Officer.*

PART – II

- The commutation for lump payment of pension of Rs..... is administratively sanctioned on the basis of the report of the Accounts Officer contained in Part I above. The table of present values, on the basis of which the calculation in the Accounts Officer's report has been made is subject to alteration at any time without notice, and consequently it is liable to revision before payment is made. The sum payable will be the sum appropriate to the applicant's age on his birthday next after the date on which the commutation becomes absolute or, if the medical authority directs that years shall be added to that age, to the consequent assumed age.
- The (here enter designation and address of the Chief Administrative Medical Officer) has been requested to arrange for the medical examination and inform Shri..... direct where and when he should appear for the examination. He should bring with him the enclosed Form C with the Particulars required in Part I completed *except for the signature.*

Station Signature
Date Designation.....
(here enter the name and address of the addressee)

FORM – C

Medical Examination by the (here enter the medical authority)

PART – I

Statement to be filled in by the applicant for Commutation of a portion of his pension

The applicant must complete this statement prior to his examination by the (here enter the medical authority) and must sign the declaration appended thereto in the presence of that authority.

1. State your name in full (in block letters)
2. State place of birth
3. State your age and date of birth
4. Furnish the following particulars concerning your family. -

| Father's age, if living and state of health | Father's age at death and cause of death | Number of brothers living their ages and state of health | Number of brothers dead, their ages at and cause of death | Mother's age, if living and state of health | Mother's age at death and cause of death | Number of sisters living their ages and state of health | Number of sisters dead, their ages at and cause of death |
|---------------------------------------------|------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------|---------------------------------------------|------------------------------------------|---------------------------------------------------------|----------------------------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | | | | | |

5. Have any of your near relations suffered from tuberculosis (consumption, scrofula), cancer, asthma, fits, epilepsy, insanity or any other nervous disease?
6. Have you ever been abroad?
where and for what period and how long since?
7. Have you ever served in the Navy, Army, Air Force, or in any Government Department?
8. Have you ever been examined -
(a) for Life Insurance, or/and

- (b) by any Government Medical Officer or State Medical Board, Civil or Military ? If so, state details and with what result?
9. Have you ever been granted leave on medical certificate ? If so, state periods of leave and nature of illness.
10. Have you ever –
- a) had smallpox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, pleurisy, heart disease, fainting attacks, rheumatism, appendicitis, epilepsy, insanity or other disease of the ear, syphilis, gonorrhoea, or
 - b) had any other disease of injury which required confinement to bed or medical or surgical treatment, or
 - c) undergone any surgical operation, or
 - d) suffered from any illness, wound or injury sustained while on active Service with His Majesty's Forces during the World War II?
11. Have you rupture ?
12. Have you varicocele, varicose veins or piles?
13. Is your vision in each eye good?
14. Is your hearing in each ear good?
15. Have you any congenital or acquired malformation, defect or deformity?
16. When were you last vaccinated?
17. Is there any further matter concerning your health not covered by the above questions, such as presence of albumen or sugar in the urine, marked increase or decrease in your weight in the last three years or being under treatment of any doctor within the last three months and the nature of illness for which such treatment was taken?

DECLARATION BY APPLICANT

(To be signed in the presence of the medical authority)

“I declare all the above answers to be, to the best of my belief, true and correct.

I will fully reveal to the medical authority all circumstances within my knowledge that concern my health and fitness.

I am fully aware that by wilfully making a false statement or concealing a relevant fact I shall incur the risk of losing the commutation. I have applied for and of having my pension withheld or withdrawn under Rule 2, Part III, Kerala Service Rules.”

Signed in the Presence of
Applicant’s Signature.....

(Signature and designation of Medical Authority)

PART – II

(To be filled in by the examining medical authority)

1. Apparent age
2. Height
3. weight
4. Girth of abdomen at level of umbilicus
5. Pulse rate –
 - a) Sitting
 - b) StandingWhat is the character of pulse?
6. What is the condition of arteries?
7. Blood pressure –
 - (a) Systolic
 - (b) Diastolic

8. Is there any evidence of disease of the main organs –
 - (a) Heart
 - (b) Lungs
 - (c) Liver
 - (d) Spleen

9. Does chemical examination of urine show –
 - (i) Albumen
 - (ii) Sugar
 State specific gravity

10. Has the applicant a rupture? If so, state the kind and if reducible.

11. Describe any scars or identifying marks

12. Any additional information.

PART – III

I/We have carefully examined Shri/ Shrimathi/
Kumari..... and am/are of opinion that :-

OR

He/She is not in good bodily health and has the prospect of an average duration of life.

He/She is not in good bodily health and is not a fit subject for commutation.

OR

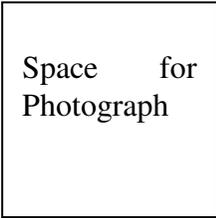
Although he/she is suffering from.....he/she is considered a fit subject for commutation but his/her age for the purpose of commutation i.e; the age next birthday should be taken to be (in words) years more than his/her actual age.

Station

Date

*Signature and designation of
Examining Medical Authority.*

FORM – D
PART- I
**Form of application for Commutation of pension without
Medical Examination**



To
Govt./Sanctioning authority.

Sub:- Commutation of pension without medical examination.

Sir,

I..... furnish below the relevant particulars and request that I may be permitted to commute a part of my pension as indicated below (An attested *copy of my photograph is pasted on this application and an unattested copy is enclosed).

1. Name in block letters :
2. Date of birth :
3. *Date of retirement or quitting the service in respect of which the pension is sanctioned. This amendment takes effect on and from 9th July 1979.
G.O.(P)642/81/ Fin., dated 13th October 1981.
4. Designation of the post held at the time of retirement/quitting the service. This amendment takes effect on and from 9th July 1979.and the name of the Department / Office
5. Amount of pension sanctioned and whether it is provisional or final :
6. Name of Treasury or Bank from which pension is being drawn :
7. Name of Treasury or Bank through which commuted value is desired to be paid, if payment is not desired through the Accounts Officer who authorized the pension:
8. Designation of the Accounts Officer and the number and date of the pension payment order, if issued:

G.O.(P)642/81/Fin.,
dated 13th October
1981

9. Amount (in whole rupees) or percentage of pension proposed to be commuted :
10. Particulars of any application for commutation of pension made previously and whether appeared before any medical authority or not :
11. Have any judicial or departmental proceedings been instituted against you and is continuing now :

Date :

Signature :

Full Postal Address:

*Note :- Photographs are required to be submitted only if the payment of pension is desired otherwise than through the Accounts Officer who authorized pension.

Forward to the

(Here enter the designation and address of the Accounts Officer) for reporting on the entitlement of pension to the applicant and the sum payable.

Place:

Signature :

Date :

Name and address of the sanctioning authority.

PART – II

1. Forward to(here enter the designation and address of the Sanctioning Authority)
2. The applicant is entitled for commutation of pension without medical examination/not entitled for commutation as
3. The lump sum payable :
 - (i) If the commutation becomes absolute before the applicant's next birthday which falls on
 - (ii) if the commutation becomes absolute after the applicant's next birthday but before his next birthday but one the birthday that follows :-
Rs.....
4. The sum payable will be debited to

Signature and designation of
Accounts Officer

Station :

Date :

PART – III

Sanction is accorded to the above commutation. Forwarded to the Accounts Officer for authorizing the payment of the commuted value.

Signature :
Name and address of
the sanctioning authority.

PART IV
Acknowledgement

Received from Shri..... retired

(Designation)

An application for commutation of pension without medical examination.

Station :

Date :

Signature :
Name and address of the
pension sanctioning authority/
Accounts Officer (with seal)

(This acknowledgement is to be signed, stamped and dated and is to be detached from the form and handed over to the applicant. If the form is received by post, it has to be acknowledged on the same day and send under registered cover to the applicant).

[G.O.(P)
991/79/Fin., dated
7th November 1979]

This amendment takes effect on and from the 31st May 1978.

FORM – E*

Form of Application for Restoration of Commuted Portion of Pension

[Vide G.O.(P) No.386/83/Fin. Dated 13-7-1983)

1. Name of the Pensioner with address
2. Pension payment order number:
3. Date of Retirement
4. Date of commencement of Pension
5. Amount of original Pension
6. a) Amount commuted
b) Date of effect of reduction in pension
c) Amount of reduced pension
7. Date of completion of 15 years after commutation.
8. *Date of restoration of original pension
9. Amount of pension after restoration
10. Name of Treasury/Sub Treasury from which pension is now drawn.

Signature of the applicant.

NB:- Life Certificate should be appended along with the application

*This should be from 1-4-1983 even in cases where 15 years had elapsed prior to that date.

[It shall be deemed to have come into force with effect from the 1st day of April 1983].

*G.O.(P)
No.610/98/Fin.,
Dated 10th February
1998.

APPENDIX XIII
(referred to in Chapter VI of Part III, K.S.R.)

Extraordinary Pension Rules

1. These Rules shall apply to all civilian employees of Government other than those to whom the Workmen's Compensation Act, 1923 (Central Act VIII of 1923), applies whether their appointment is on time scale of pay or fixed pay or piece work rates.
2. For the purpose of these Rules unless there is anything repugnant in the subject or context,
 - (1) "Accident" means -
 - (i) a sudden and unavoidable mishap or
 - (ii) a mishap due to an act of devotion to duty in an emergency arising otherwise than by violence out of and in the course of service;
 - (2) "date of injury" means -
 - i) in the case of accident or violence the actual date on which the injury is suffered or such date, not being later than the date of the report of the Medical Board, as the Government may fix; and
 - ii) in the case of disease the date on which the Medical Board reports or such earlier date as may be fixed by the Government with due regard to the opinion of the Medical Board;
 - (3) "Disease" means -
 - i) Venereal disease or septicaemia where such disease or septicaemia is contracted by a Medical Officer as a result of attendance in the course of his official duty on an infected patient or of conducting a post-mortem examination in the course of that duty, or
 - ii) Disease solely and directly attributable to an accident or
 - iii) An epidemic disease contacted by an Officer in consequences of his being ordered on duty to an area in which such disease is prevalent, or in consequence of his attending voluntarily out of humanitarian motives, upon any patient suffering from any such disease in any area

where he happens to be in the performance of his duties:

- (4) “Injury” means bodily injury resulting from violence, accident or disease assessed by a Medical Board as being not less than severe and likely to be permanent.

Note:- Examples of injuries of certain categories are given in Schedule 1.

- (5) “Pay” means pay as defined in Rule 12(23) of Part I K.S.R., and / or pay of the appointment under rule 9 or 31 of the Kerala State and Subordinate Service Rules which a person was drawing on the date of his death or injury; provided that in the case of person remunerated by piece work rates, pay means the average earnings of the last six months ending with the date of his death or injury.

- (6) “Risk of Office” means any risk not being a special risk of accident or disease to which a government employee is exposed in the course of and as a consequence of the duties, but nothing shall be deemed to be a risk of office which is a risk common to human existence in modern conditions in the State unless such risk is definitely enhanced in kind or degree by the nature, conditions, obligations or incidents of government service.

- (7) “Special risk” means -

- (i) a risk of suffering injury by violence;
- (ii) a risk of injury by accident to which government employee is exposed in the course of and as a consequence of the performance of any particular duty which has the effect of materially increasing his liability to such injury beyond the normal risks of his office;
- (iii) a risk of contracting disease to which a Medical Officer is exposed as a result of attending in the course of his official duty to a venereal or septicaemic patient or conducting a post-mortem examination in pursuance of the duty.

- (8) “Violence” means the act of a person who inflicts an injury on a government employee.
- (i) by assaulting or resisting him in the discharge of his duties or in order to deter or prevent him from performing his duties, or
 - (ii) because of anything done or attempted to be done by such employee or by any other public employee in the lawful discharge of his duty as much, or
 - (iii) because of his official position.
3. No award shall be made under these rules except with the sanction of Government in the *Administrative Departments concerned. In making an award the Government may take into consideration the degree of default or contributory negligence on the part of the employee who sustains an injury or dies as a result of an injury or is killed.
4. Except as otherwise provided in these rules an award made under these rules shall not affect any other pension or gratuity for which the employee concerned or his family may be eligible under any other rules for the time being in force, and the pension granted under the provisions of these rules shall not be taken into account in fixing the pay of the pensioner on his continued employment or re-employment in government service.
5. No award shall be made in respect of –
- (i) an injury sustained more than five years before the date of application, or
 - (ii) death which occurred more than seven years (a) after the injury due to violence or accident was sustained, or (b) after the employee was medically reported as unfit for duty on account of the disease of which he died.
6. All awards under these rules shall be made in India in rupees unless the payee resides permanently, and desires payment to be made in a country in which the rupee is not legal tender. In the later case the amount of the award shall be paid in sterling at the current rate of exchange.
7. For the purpose of these rules, injuries shall be classified as follows:-

*G.O.(P)
No.478/67/Fin,
Dated 3rd
November 1967.

Class A - Injuries caused as a result of special risk of office which have resulted in the permanent loss of an eye or a limb or are of a more serious nature.

Class B - Injuries caused as a result of special risk of office and equivalent in respect of the degree of disablement which they cause to the loss of a limb or are very severe, or injuries caused as a result of risk of office which have resulted in the permanent loss of an eye or a limb or of a more serious nature.

Class C - Injuries caused as a result of special risk of office which are severe, but not very severe, and likely to be permanent, or injuries caused as a result of risk of office which are equivalent in respect of the degree of disablement which they cause to the loss of a limb or which are very severe and likely to be permanent.

8. (1) If government employee sustains an injury which falls within class A of rule 7 he shall be awarded –

(a) a gratuity of the applicable amount specified in Schedule II, and

(b) with effect from the date following the expiry of one year from the date of injury,

(i) if the injury has resulted in the permanent loss of both eyes or more than one limb a permanent pension of the applicable amount specified in Schedule II for a higher scale pension; and

(ii) in other cases a permanent pension, the amount of which shall not exceed the applicable amount specified in Schedule II for a higher scale pension and shall not be less than half that amount.

*The rate of minimum extraordinary pension will be as specified in Schedule II for those who are not in receipt of any other monthly pension.

(2) If a government employee sustains an injury which falls within Class B of rule 7, he shall be awarded;

*Takes effect from 1st October 1971– vide G.O.(P) 457/72/ Fin., dated 19th September 1972.

- (i) if the injury has resulted in the permanent loss of an eye or a limb or is of more serious nature, a permanent pension with effect from the date of the injury, of an amount which shall not exceed the applicable amount specified in Schedule II for a lower scale pension and shall not be less than half that amount.

*The rate of minimum extraordinary pension will be as specified in Schedule II for those who are not in receipt of any other monthly pension.

*Takes effect from 1st October 1971—vide G.O.(P) 457/72/Fin., dated 19th September 1972.

- (ii) in other cases –
a) for a period of one year with effect from the date of the injury a temporary pension the amount of which shall not exceed the applicable amount specified in Schedule II for a lower scale pension and shall not be less than half that amount, and thereafter;

*The rate of minimum extraordinary pension will be as specified in Schedule II for those who are not in receipt of any other monthly pension.

- b) a pension within the limit specified in sub clause (a), if the Medical Board from year to year certifies that the injury continues to be very severe.

- (3) If a government employee sustains an injury which falls within Class C of rule 7 above he shall be awarded a gratuity of the applicable amount specified in Schedule II, if the Medical Board/Medical Officer certifies that the employee is likely to be unfit for service for a year or proportionate amount subject to a minimum of ¼ of the amount so specified if he is certified to be likely to be unfit for less than a year:

Provided that in cases where the injury is equivalent in respect of the degree of disablement which it causes to the loss of a limb, Government may award, if deemed fit, in lieu of the gratuity, a pension not exceeding the amount admissible under clause (ii) of sub-rule (2) of this rule.

- (4) A temporary pension awarded under this rule may be converted into a permanent injury pension :

- (i) when the employee is invalid out of the service on account of the injury in respect of which the temporary pension was awarded, or
 - (ii) when the temporary pension has been drawn for not less than five years, or
 - (iii) at any time, if the Medical Board / Medical Officer certifies that it/he see no reason to believe that there will ever be a perceptible decrease in the degree of disablement.
9. Awards shall be made to the widow and children of a Government employee as follows:-
- (i) if an employee is killed or dies of injury received as a result of special risk of office.
 - (a) a gratuity of the applicable amount specified in Schedule III, and
 - (b) a pension the amount of which shall not exceed the applicable amount specified in Schedule III.
 - (ii) if an employee is killed or dies of injuries received as a result of risk of office a pension the amount of which shall not exceed the applicable amount specified in Schedule III.

Provided that, if the pay of the deceased employee was less than Rs.150, the monthly pension or the sum of pensions that may be granted under this rule, shall not, irrespective of the rates (including the minimum limits) specified in Schedule III, exceed the limit of one-half of his pay; and if in any case, the sum of such pensions calculated under schedule III exceeds the limit of one-half of his pay; such a pro rata reduction shall be made in the amount of each individual pension as will reduce the sum to such limit.

(The term 'Children' includes posthumous children Vide G.O.(P)625/69/Fin., dated 17th November 1969)

Exception - Notwithstanding anything contained in the above rule the minimum rate of extraordinary pension payable to the widow of policeman killed while on duty or where his death is due directly to the performance on his duties shall be Rs.75* per mensem.

*[G.O.(P) 618/98/Fin. dt.10-2-98]
(Takes effect from 18th June 1984)

Note 1 - All cases of injury / death suffered by Police Constables, Head Constables and other Police personnel of equal rank in the Police Department in the course of and as a consequence of performance of their duties will be regarded as case of injury / death due to special risk of office and in all such cases gratuity under the Kerala Service Rules will be payable at the enhanced rate of 8 months pay.

This amendment shall be deemed to have come into force with effect from the 1st July 1973.

[G.O.(P)149/76/Fin.
dt.29-5-1976]

(The term Policemen includes Constable, Head Constable and personnel of equal rank in the Police Department.)

Note 2 - If a Government employee dies leaving behind two or more widows, the pension or gratuity admissible under this rule to the widow shall be divided equally among all the widows:

Provided, however, that except the first wife of the deceased Government employee no other widow shall be entitled to any share of pension/gratuity if her marriage with the deceased Government employee had been later than the date of coming into force of the prohibition against bigamous marriages contained in the "Kerala Government Servants' Conduct Rules, 1960", unless it be that such marriage was contracted with the previous permission of the Government :

*Provided also that the minimum extraordinary family pension shall also be shared equally among the widows.

*G.O(P)457/72/Fin
dated 19-9-1972.

[This takes effect from 1st October 1971]

10 †The State Police personnel, lent to the Government of India for duties on the border or in operations against Mizos and Nagas, shall for purposes of special family pensionary awards and disability pension be Government either by the State rules or by the rules of the Government of India reproduced in the Annexure whichever be more advantageous to such personnel, when they are killed or invalided out of service on account of injuries sustained as a result of fighting in war, like operations or border skirmishes with Pakistan on the cease fire line of any other country and which fighting against armed hostile like Mizos and Nagas.

†G.O(P)423/68/Fin.
dt.13-8-1968]

- 11 (1) If the deceased employee has left neither a widow nor a child an award may be made to his father and his mother individually or jointly and in the absence of the father and the mother, to minor brothers and sisters, individually or collectively, if they were large dependent on the employee for support and are in pecuniary need:

Provided that the total amount of the award shall not exceed one half of the pension that would have been admissible to the widow under Rule 9:

Provided further that each minor brother's and sister's share shall not exceed the amount of pension specified in Schedule III for a "child who is not motherless".

*Provided also that the minimum extraordinary family pension of Rs.75# shall be granted to parents whose pension falls short of Rs. 75.

*G.O.(P)457/72/Fin
dated 19-9-1972]
w.e.f. 1-10-1971.

#G.O(P)618/98/Fin
dt.10-2-98]
w.e.f 18-6-1984.

- (2) Any award made under sub-rule (1) of this rule will, in the event of an improvement in the pecuniary circumstances of the pensioner, be subject to review in such manner as Government may by order prescribe.

- (3) Notwithstanding anything contained in sub-paras 1 and 2 a gratuity equal to one half of that admissible to the widow under schedule III may, in the absence of widow and children be paid to the father and mother of the deceased individually or jointly without reference to dependency on the deceased government employee or pecuniary need.

(The term 'child' includes posthumous child – vide G.O.(P) 625/69/Fin., dated 17th November 1969)

- 12 (1) A family pension will take effect from the day following the death of the employee or from such other date as Government may decide.

- (2) A family pension will ordinarily be tenable –
- (i) in the case of a widow or mother until death or remarriage which ever occurs earlier;
 - (ii) in the case of minor son, or minor brother until he attains the age of 18;
 - (iii) in the case of an unmarried daughter or minor sister, until marriage or until she attains the age of 21, whichever occurs earlier :
 - (iv) in the case of father, for life.
- 13 (1) In respect of matters of procedure, all awards under these rules are subject to the procedural rules relating to ordinary pensions for the time being in force to the extent that such procedural rules are applicable and are not inconsistent with these rules.
- (2) When a claim for injury pension or gratuity or family pension arises the head of the officer or of the department in which the injured, or the deceased employee was employed will forward the claim to Government through the usual channel with the following documents: -
- (i) A full statement of the circumstances in which the injury was received, the disease was contracted or the death occurred.
 - (ii) The application for injury pension or gratuity in Form A, or as the case may be the application for family pension in Form B of the Forms set forth in Schedule IV.
 - (iii) In the case of an employee injured or one who has contracted a disease, a medical report in Form C of the Forms set forth in Schedule IV.

In the case of deceased employee a medical report as to the death or reliable evidence as to the actual occurrence of death, if the employee lost his life in such circumstances that a medical report cannot be secured.
 - (iv) A report of the Audit Officer as to whether an award is admissible under the rules and, if so, of what amount.

ANNEXURE
(See Rule 10)

Family pensionary awards and disability pension to the State Police personnel lent to the Government of India under the control of the Inspector General of Police, Central Reserve Police, Special Inspector General of Police, Indo-Tibetan Border Director General, Border Security Force, etc.,

- (i) Those killed as a result of enemy action $\frac{2}{3}$ rds of the basic pay last drawn for the first seven years (this will be inclusive of children's pension) and $1\frac{1}{2}$ times the existing entitlement thereafter subject to the maximum of $\frac{2}{3}$ rds of the basic pay last drawn.

In the case of motherless children $1\frac{1}{2}$ times the existing entitlement will be admissible from the beginning subject to the maximum of $\frac{2}{3}$ rds of the basic pay last drawn.

- (ii) Those injured as a result of enemy action
- | | |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) Where invalidation does not take place | a) Existing entitlements only. |
| b) Where invalidation take place | b) $\frac{2}{3}$ rd s of the basic pay last drawn for the first seven years and $1\frac{1}{2}$ times the existing entitlement there after subject to the maximum of $\frac{2}{3}$ rd s of the basic pay last drawn. |

- (i) Where the existing entitlements are higher than those mentioned above, the existing entitlements will prevail.
- (ii) No ad-hoc increase is to be allowed over and above the ceiling of $\frac{2}{3}$ rds of the basic pay last drawn.
- (iii) When pensionary awards at a consolidated rate equal to $\frac{2}{3}$ rds of the basic pay last drawn are admitted no other pensions will be admissible in addition.
- (iv) In addition to the pensionary awards mentioned above, gratuity admissible under the existing rules will be payable.

SCHEDULE – 1

(Note to clause 4 Rule 2)

Classification of Injuries

Equal to loss of limb -

- Hemiplegia without aphasia.
- Permanent use of a tracheotomy tube
- Artificial anus
- Total deafness to both ears.

Very Severe –

- Complete unilateral facial paralysis, likely to be permanent.
- Lesion of kidney, ureter or bladder.
- Compound fractures (except phalanges).
- Such gross destruction of soft parts as to lead to permanent disability or loss of function.

Severe and likely to be permanent –

- Ankylosis of or considerable restriction in the movement of one of the following joints:-
Knee, elbow, shoulder, hip, ankle, temporomaxillary or rigidity of the dorsilumbar or cervical sections of the spine.
- Partial loss of vision of one eye.
- Destruction or loss of one testicle.
- Retention of foreign bodies not causing permanent or serious symptoms.

SCHEDULE – II
(Rule 8)
Injury gratuity and pension

| Pay of the employee on the date of injury | | Gratuity | Monthly Pension Higher Scale Rs. | Monthly Pension Lower Scale Rs. |
|-------------------------------------------|------------------------------------|---------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1. | Rs.1000 and over but under Rs.1500 | 3 months pay subject to a minimum of Rs.800 | 200 | 150 |
| 2. | Rs.900 and over but under Rs.1000 | ” | 150 | 125 |
| 3. | Rs.400 and over but under Rs.900 | ” | 100 | 84 |
| 4. | Rs.350 and over but under Rs.400 | ” | 85 | 70 |
| 5. | Rs.200 and over but under Rs.350 | ” | 67 | 50 |
| *6. | Under Rs.200 | 4 months pay | $\frac{1}{3}$ rd of pay subject to a minimum of Rs.8 (Rs.40) | $\frac{1}{5}$ th of Pay subject to a minimum of Rs.4 (Rs.40) |

* Omitted (G.O.(P) No.618/98/Fin. dated 10-2-98) (Takes effect from 18th June 1984)

SCHEDULE – III
(Rule 9)
Family Gratuity and Pension

A. WIDOW

| <i>Pay of the employee on the date of injury</i> | | <i>Gratuity</i> | <i>Monthly Pension</i> |
|--------------------------------------------------|----------------------------------|---------------------------------------------|---------------------------------------------------------------------------------------|
| 1. | Rs.800 and over | 3 months pay subject to a minimum of Rs.800 | $\frac{1}{8}^{\text{th}}$ of pay subject to a maximum of Rs.200 |
| 2. | Rs.200 and over but under Rs.800 | ” | $\frac{1}{6}^{\text{th}}$ of pay subject to a maximum of Rs.100 and minimum of Rs.50. |
| **3. | Under Rs.200 | 4 months pay | $\frac{1}{3}^{\text{rd}}$ of pay subject to a maximum of Rs.53 and minimum of *Rs.40 |

** Omitted [G.O.(P) No.618/98/Fin. dated 10-2-98]
(Takes effect from 18th June 1984)

*G.O.(P) 457/72/Fin., dated 19th September 1972 w.e.f 1-10-1971)

B. CHILDREN

| <i>Pay of the employee on the date of death</i> | | <i>Gratuity</i> | <i>monthly pension of each child</i> | |
|-------------------------------------------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| | | | <i>If the child is motherless</i> | <i>If the child is not motherless</i> |
| 1. | Rs.800 and over | A gratuity equal to one-half of the amount admissible to the widow Under Schedule III – A to motherless child/children in equal shares | #Rs.75 | Rs.25 |
| 2. | Rs.250 and over but under Rs.800 | | Rs.25 | Rs. 13 |
| 3. | Under Rs.250 | | $\frac{1}{10}^{\text{th}}$ of pay subject to a minimum of #Rs.75 with effect from 1 st October 1971 collectively payable to all children if it collectively falls short of #Rs.75 | $\frac{1}{20}^{\text{th}}$ of pay subject to a minimum of Rs.3 |

G.O.(P) 618/98/Fin. dated. 10-2-98]
(with effect from 18/6/89)

SCHEDULE – IV

(Rule 13)

FORM 'A'

Form of application for injury pension or gratuity

1. Name of applicant
2. Father's Name
3. Race, sect and caste
4. Residence, showing village
5. Present or last employment including name of establishment
6. Date of beginning of service
7. Length of service, including interruptions of which superior inferior Non-qualifying and interruptions
8. Classification of injury
9. Pay at the time of injury
10. Proposed pension or gratuity
11. Date of injury
12. Place of Payment
13. Special remarks, if any
14. Date of applicant's birth *
15. Height
16. Marks : Thumb and finger impression:-
Thumb forefinger – middle finger-ring finger-little finger
17. Date on which the applicant applied for pension

Date..... 20.....

Signature of Head of Office

Note-. In the case of European ladies, gazetted government employees, government title holders and other persons who may be specially exempted by Government, thumb and finger impressions and particulars of height and personal marks are not required.

*If not known exactly must be stated on the best information or estimate

FORM 'B'
(Rule 13)

Form of application for family pension

Application for an extraordinary pension for the family of A.B. late a killed or died of injuries received, as a result of special risk of office or risk of office.

Submitted by the

- | | |
|-------------------------|---------------------------------------------------|
| Description of claimant | 1. Name and residence, showing village |
| | 2. Age |
| | 3. Height |
| | 4. Race, caste or tribe |
| | 5. Marks for identification |
| | 6. Present occupation and pecuniary circumstances |
| | 7. Degree of relationship to deceased |
| Description of deceased | 8. Name |
| | 9. Occupation and Service |
| | 10. Length of Service |
| | 11. Pay when killed |
| | 12. Nature of injury causing death |
| | 13. Amount of pension or gratuity proposed |
| | 14. Place of payment |
| | 15. Date from which pension is to commence |
| | 16. Remarks |

| | | |
|-------------------------------------------------------|-------------|----------------------|
| <i>Name and ages of surviving hindred of deceased</i> | <i>Name</i> | <i>Date of birth</i> |
|-------------------------------------------------------|-------------|----------------------|

Sons
Widows
Daughters
Father
Mother

Note:- If the deceased has left no son, widowed daughter, father or mother surviving him, the word "none" or "dead" should be entered opposite to such relative.

Place.....
Date

(Signature of Head of Office)

FORM 'C'

(Rule 13)

Form to be used by Medical Boards when reporting on injuries

(Proceedings of Medical Board)

CONFIDENTIAL

Proceedings of a Medical Board assembled by order of for the purpose of examining and reporting on the present state of the injury sustained by/disease contracted by at (place of injury, etc) on the (date of injury etc.)

- (a) State briefly the circumstance under which the injury/disease was sustained/contracted.
- (b) What is the Government employee's present condition?
- (c) Is the Government employee's present condition wholly due to the injury/disease? If not, state to what other causes it is attributable.
- (d) In the case of disease, from which date does it appear that the Government employee has been incapacitated?

The opinion of the Board upon the question below is as follows:-

| As to first injury | As to second injury (if any) | As to third injury (if any) |
|-----------------------|---------------------------------------|--------------------------------------|
|-----------------------|---------------------------------------|--------------------------------------|

1. Has the Government employee lost an eye or a limb?
2. If the answer to (1) is in the negative, is the injury equivalent to the loss of a limb?
3. If the answers to (1) and (2) are in the negative, is the injury very severe?
4. If the answer to (3) is "yes" for what total period from the date of injury has the Government employee been or is he likely to be, unfit for duty?

| | | |
|-----------------------|---------------------------------------|--------------------------------------|
| As to first injury | As to second injury (if any) | As to third injury (if any) |
|-----------------------|---------------------------------------|--------------------------------------|

5. If the answers to (1), (2) and (3) are in the negative, is the injury severe?
6. If the answer to *(5) is “yes” -
 - (a) is the injury likely to be permanent?
 - (b) and, if so, for what total period from the date of the injury has the Government employee been, or is he likely to be, unfit for duty?
7. *If the answer to (2) was “yes” in the first instance—
 - (a) are the effects of the injury still equivalent to the loss of a limb, and if not:
 - (b) are they very severe?
8. If the Answer to (3) was “Yes” in the first instance are the effects of the injury still very severe.
9. If the answers to the questions above are in the negative, the injury should be classified here as ‘severe’ but not likely to be ‘permanent’ or ‘slight’ and ‘permanent’ or in similar terms.

* For use in the case of subsequent Boards in cases of renewal of award.

Instruction to be observed by the Medical Board preparing the Report

1. The Medical Board before recording their opinion should invariably consult the proceedings of the previous Medical Boards, if any, as also all previous medical documents connected with the Government employee before them for examination.
2. If the injuries be more than one they should be numbered and described separately, and should it be considered that, for instance though only 'severe' or slight in themselves, they represent together the equivalent of a single "very severe" injury such an opinion may be expressed in the columns provided.
3. In answering the question in the prescribed form the Medical Board will continue itself exclusively to the Medical aspect of the case and will carefully discriminate between the Government employee's unsupported statements and the medical and documentary evidence available.
4. The Board will not express any opinion either to the government employee examined, or in their report, as to whether he is entitled to compensation, or as to the amount of it, nor will it inform the Government employee how the injury has been classified.

LIST OF FORMS

1. Service Book (Rule 141 – Part III)
2. Application for Pension/Gratuity, Death-cum-retirement Gratuity and Family Pension (Rules 112, 115, 117 and 90 of Part III)
3. Form for sending Pension Papers (Rule 115, Part III)
4. 4A to 4D – Forms of Nomination for Death-cum-Retirement Gratuity (Rules 76A, Part III)
5. Form of Nomination for Non-Contributory Family Pension (Rule 86, Part III)
- 5A. Details of Family for Contributory Family Pension (Rule 90 Part III)

6. Application for Family Pension/Contributory Family Pension 1964/Death-cum-Retirement Gratuity (Rules 118 and 90 of Part III)
 - 6A. Form of Intimation (Rule 118, Part III)
7. Please see the Kerala Service Rules, volume I.
8. Indemnity Bond (Rule 139, Part III)
 - 8A. Indemnity Bond to be executed by the guardian of a minor (Note 2, clause 3, Rule 118, Part III)
9. Deleted
10. Deleted
11. Formal Application for Pension (Rule 110, Part III)
12. to 14. Please see the Kerala Service Rules, Volume I.

FORM 1*
(Referred to in rule 141 of Part III, K.S.R.)
SERVICE BOOK
PART 1
Bio-Data

The pages 1 and 2 of the Service Book should contain the following entries: -

*G.O.(P)
281/79/Fin.
dated 16-3-79.

1. Name in full:
(in block letters)
2. Father's or Mother's or Guardian's
Name:
Residence:
3. Name of husband/wife:
4. Nationality:
5. Class or Race and Religion:
6. Whether a member of Scheduled Caste/Tribe:

7. **Date of birth:

**G.O.(P)
280/88/Fin.
dated 25-3-88.

By Christian era In figures In words

Or
Malayalam era
(Authenticated with reference to

(H.E. Name of document)

8. Educational Qualification:
 - (a) at the time of first appointment :
 - (b) Subsequently acquired:
 - (c) Professional and technical qualifications
not covered by (a) and (b) above :

9. Departmental examination or tests passed:

10. Personal marks of identification:

11. Exact height by measurement:

Note: - This Form as substituted by G.O.(P) 281/79/Fin. dated the 16th March 1979 shall be deemed to have come into force from 21st day of December 1977.

12. Signature (with date) or left hand thumb and finger impressions of the Government Servant (Thumb and finger impressions are necessary in the case of persons not literate enough to put their signature. The signature or impression will be obtained in the presence of the head of Office or other attesting officer):

| | | | |
|------------------|-----------------|------------------|--------------|
| Fourth finger | Third finger | Second finger | First finger |
|------------------|-----------------|------------------|--------------|

Thumb

13. Signature and designation of the Head of Office or other attesting Officer (with date):

Note :- The space for the above entries may be provided for each items so as to give item 9 one-fourth of the space of the page.

PART II

Pages 3 and 4 should contain details of previous qualifying service and Foreign Service. Page 5 should contain general instructions regarding history and verification of service.

PART III

Pages 6 to 37 of the Service Book shall be divided into seventeen columns, namely:-

1. Name of appointment, Office (with Station) and scale of pay in full with rate of increment.
2. Whether substantive or acting and whether in the permanent staff or temporary staff
3. If acting, here state substantive appointment, if any, and the nature of the vacancy.
4. Date of commencement of appointment
5. Pay, personal allowance and other allowances to be specified separately, if any
6. Signature of the employee
- *6A. Signature and designation of the head of the Office or other attesting Officer
7. Date of termination of appointment
8. Reason for the termination of the appointment (such as promotion, transfer, dismissal, etc.)
9. Signature of the head of office or the attesting Officer
10. Nature of absence, if leave, state kind of leave. If suspension state reasons in column 17

*Takes effect on and from the 22nd March 1980. [G.O.(P)157/81/Fin. dated 9th March 1981].

11. Months
12. Days
13. Date of commencement (Forenoon or afternoon)
14. Initials of head of Office
15. Date of return (Forenoon or afternoon)
16. Initials of Head of Office
17. Reference to any recorded punishment of censure or reward or praise of the Officer.

PART-IV

Page 38 shall contain Memorandum of verification of service and pages 39 to 41 shall be repetitions of page 38.

PART-V

Page 42 and 43 relate to Leave Account and pages 44 to 49 shall be repetitions of pages 42 and 43.

PART-VI

Pages 50 and 51 relate to leave on half pay and leave not due and pages 52 and 53 shall be repetitions of pages 50 and 51.

PART-VII

Page 54 shall contain details of leave without allowances on medical grounds and page 55, leave without allowances other than on medical grounds.

PART-VIII

Page 56 shall contain details of record of postings (this is intended for use in Police and other similar departments)

PART-IX

Pages 57 and 58 shall contain family particulars and details of P.F. and nominations.

G.O.(P)
281/79/Fin.,
dated 16th March
1979]

FORM 2

(Pension – Six Pages)

(Referred to in Rules 112, 115, 117, 90 and Appendix ‘X’ of Part III,
K.S.R.)

(First Page)

***APPLICATION FOR PENSION/GRATUITY, DEATH-CUM-
RETIREMENT GRATUITY, FAMILY PENSION AND
COMMUTATION OF PENSION**

1. Name of applicant
2. Date of Birth (Christian Era/M.E)
3. Father’s name (or husband’s name in case of a married female employee)
4. Religion and Nationality
5. Permanent residential address showing village/town, district and State
6. Present or last appointment and name of Establishment
7. (a) Pension rules opted/eligible
(b) Family Pension rules opted/eligible
8. Date of beginning of service D M Y
9. Date of ending of service
- 10.(a) Total period of military service (Date of commencement and end of each period of military service)
(b) Any other addition to qualifying service
(c) Governments under which service has been rendered in order of employment.
- 11.(a) Length of total service Y M D
(b) Length of total non-qualifying period of service with particulars

* Instructions for preparing the application for pension/gratuity, death-cum-retirement gratuity and family pension appended to Form No.3. These should be carefully studied before filling in the Form.

From

To

D. M. Y.

D. M. Y.

(c) Net qualifying service (rounded to)

12. Class of pension or gratuity applied for and cause of application.
13. (a) Proposed Pension/gratuity
(b) Proposed death-cum-retirement gratuity
(c) Proposed family pension
(d) Percentage of pension proposed to be commuted (applicable only in case of commutation without Medical Examination).
14. Date from which pension is to commence.
15. Sub/District Treasury and Post Office/ Bank where payment is desired.
16. Whether nomination made for -
 - (i) Death-cum-retirement gratuity and if so, name, address and relationship of the persons to whom it is payable and share of each nominee.
 - (ii) **Lifetime arrears of pension including commuted value of pension. (if no nomination is subsisting, nomination for DCRG may be obtained and pasted in the Service Book and nomination for life-time arrears sent to Treasury Officer)

Station :

Date :

Signature of Head of Office/
Department/ Accounts Officer.

** Name, address and relationship of the nominee shall be recorded against this item if there is a nominee.

(Second Page)

Calculation of average emoluments for purposes of Pension, etc.

(a) Pension
Emoluments for Pension.

| Period (10 months) | | No. of months/day | Rate of Pay | | Total | |
|--------------------|----|----------------------|-------------|-----|-------|-----|
| From | To | | Rs. | Ps. | Rs. | Ps. |
| | | | | | | |

Total Emoluments
Average Emoluments

Pension for 30 years :
A.E.

Monthly Pension

Upto Rs.1000..... 50% of A.E.
Next Rs. 500 45% of A.E.
Balance 40% of A.E.

(A)

Pension for years = $\frac{AxQ.S}{30}$ =

(b) Death-cum retirement Gratuity =
Death-cum-retirement Gratuity admissible = $\frac{ExQ.S}{2}$ =

Deduct for liabilities fixed, if any =

(c) Family Pension:-

*Contributory Family Pension payable% of (pay at the time of retirement). Family Pension payable at Rs..... till and thereafter at Rs..... till death/marriage whichever is earlier.

Signature of Head of Office/
Department/Accounts Officer.

E = Emoluments under Rule 62, Part III, Kerala Service Rules.

A.E. = Average Emoluments under Rule 63, Part III, Kerala Service Rules.

Q.S. = Qualifying Service.

* Vide sub rules (1) to (13) of Rule 90 Part III, Kerala Service Rules.

This is subject to the minimum and maximum prescribed in the relevant rules.

(Third Page)

(A) Remarks by the Receiving Authority

1. As to character and past conduct of the applicant
2. Explanation of any suspension or degradation
3. Regarding any gratuity or pension/death-cum-retirement gratuity already received by the applicant
4. Any other remarks
5. Specific opinion of the Receiving Authority whether service claimed is established and should be admitted or not.
[See Rule 115 (c) (ii) of Part III]
6. Whether any departmental or judicial proceedings have been instituted/and is continuing now.

Signature

Designation

(B) Orders of the Pension Sanctioning Authority

1. The undersigned having satisfied himself/herself that the service of Shri/Smt/Kum..... has been thoroughly satisfactory hereby orders the grant of the full pension of Rs..... (Rupees) commuted value of% of pension applied for and/or death-cum-retirement gratuity/residuary gratuity of Rs..... (Rupees) to him/her and family pension of Rs..... (Rupees) per mensem to Shri/Smt/Kum (here state name and address of the payee and whose relationship to the pensioner) of the pensioner which may be accepted by the Accountant General as admissible under the rules.

Or

The undersigned having satisfied himself/herself that the service of Shri/Smt/Kum..... has not been thoroughly satisfactory, hereby orders that the full pension of Rs.....(Rupees) and or death-cum-retirement gratuity/residuary gratuity of Rs.(Rupees) which may be accepted by the Accountant General as admissible under the rules to him/her shall be reduced by the specified amounts or percentage indicated below :-

Amount or percentage of reduction in pension.
Amount or percentage of reduction in gratuity.

The undersigned also orders that the family pension of Rs..... (Rupees) per mensem which may be accepted by the Accountant General as admissible under the rules to Shri/Smt/Kum (here state name and address of the payee and whose relationship to the pensioner) of Shri/Smt/Kum..... (here enter name of Pensioner) shall be reduced by specified amount or percentage indicated below :

Amount or percentage of reduction in family pension.

2. The grant of this pension and/or the death-cum-retirement gratuity/residuary gratuity shall take effect from and the grant of this family pension shall commence from the date following the date of death of the pensioner.
- *3. A sum of Rs..... (Rupees) on account of is to be held over from the death-cum-retirement gratuity till the outstanding dues are assessed and adjusted.
4. The Pension/family pension and death-cum- retirement gratuity are payable at the Sub/District Treasury/Post Office
5. No judicial or departmental proceedings is pending or is contemplated against Shri/Smt./Kum.....

6. This order is subject to the condition that the amount of pension, gratuity/family pension as authorised by the Accountant General be afterward found to be in excess of the amounts to which the pensioner/family pensioner is entitled to under the rules, he/she will be called upon to refund such excess. A declaration from the employee accepting the condition has been obtained and is enclosed/will be obtained and forwarded separately.

Station :

Date :

Signature and
Designation of the Pension
Sanctioning Authority.

Note:- To be filled in case a surety bond or suitable cash deposit is not forth coming.

(Fourth Page)
(c) Account Enfacement

Case No.
Q.S. A.E. Rs.....
Last Pay Rs..... Pension Rs.....
From(with new D.A)

COMMUTATION

Amount commuted Rs.....

Commuted value of Pension Rs.....

Residual Pension Rs.....

Date of effect of commutation :

As per [G.O. dated
12-9-1983]

FAMILY PENSION

At Rs..... till
and at Rs..... thereafter to

Shri/Smt/Kum..... till
death or remarriage whichever is earlier.

DEATH-CUM-RETIREMENT GRATUITY

Rs.....

CONDITION

L.P.C. for pension and commuted value of pension and N.L.C. for
DCRG at Treasury.

Head of A/c.....

A.O./P.R.....

FOR USE BY P.A. SECTION

P.P.O. No.....

G.P.O. No.....

Commutation Authorisation No.....

A.O./P.A.....

(Fifth Page)

Audit Enforcement

1. Total period of qualifying service which has been accepted for the grant of superannuation/ retiring/ invalid / compensation pension / Death-cum-Retirement Gratuity, with the reasons for disallowances, if any of service, the reasons for which are recorded by the Audit Officer in the second page. Y M D

Note:- Service for period commencing from and up to the date of retirement has not yet been verified, this should be done before the Pension payment order is issued.

2. Amount of Superannuation/Retiring/Invalid/Compensation pension/Death-cum-Retirement Gratuity that has been admitted. Rs. Ps. Pension.....
3. Amount of the Superannuation/ Retiring/ Invalid/ Compensation pension/ Death-cum-Retirement Gratuity admissible after taking into account the reduction in pension and gratuity made by the authority sanctions pension. Death-cum-Retirement Gratuity
4. Amount of Family Pension that has been admitted. Rs. Ps. Pension..... Death-cum-Retirement Gratuity
5. The date from which the Superannuation/ Retiring/invalid/ Compensation Pension/ Death-cum-Retirement Gratuity is admissible. Rs. Ps. Retirement Gratuity
6. Head of account to which the Superannuation/ Retiring/invalid/ Compensation Pension/ Death-cum-Retirement Gratuity and Family Pension is chargeable. Rs. Ps.

(Sixth Page – Docket)

**APPLICATION FOR PENSION/GRATUITY, DEATH-CUM-
RETIREMENT GRATUITY AND FAMILY PENSION.**

Date of application :

Name of applicant :

Class of Pension or gratuity :

Family Pension Scheme applicable :

Sanctioning Authority :

Amount of Pension sanctioned :

Amount of gratuity sanctioned :

Amount of death-cum-retirement gratuity :
sanctioned

Amount of Family Pension sanctioned :

Date of commencement of pension/gratuity :

Date of commencement of family pension :

Date of Sanction :

Amendment G.O.(P)
221/87/Fin., dated
10th March 1987.

FORM 3

[Referred to in Rule 115 (b) and (c), Part III K.S.R.]

Sir,

I am forwarding herewith the pension papers of Shri..... late of this Office/Department as per list enclosed for favour of issue of Pension/Gratuity or Family Pension and Death-cum-Retirement Gratuity Payment Orders. The instructions printed on the back of the letter have been carefully observed.

Yours faithfully,

List of enclosures:

1. Application for pension in Form 2 in duplicate with details of service duly filled in on the first page thereof.
2. Invalid Certificates (if the claim is for invalid pension)
3. Service Book duly completed
4. Last pay certificate
5. A copy of the first page of application for pension duly attested.
6. (a) Two specimen signatures, duly attested or, in case of persons not literate enough to sign their names, two slips bearing the left hand thumb and finger impressions duly attested, and
(b) Three copies of the passport size photograph of the applicant and wife/husband as the case may be, (either jointly or separately) duly attested by the head of Office. [G.O.(P) 171/77/Fin. dated 3rd June 1977]
7. Formal application of pension in Form II.
If a Government employee is compulsorily retired the authority who is to prepare the pension papers may prepare and forward the papers to the Audit Officer even in the absence of a formal application in Form No. II. [G.O.(P) 171/77/Fin. dated 3rd June 1977]
8. Full address of the employee after retirement.
9. Where the benefit of higher rates of pay is claimed in respect of a spell or spells of leave during the last one year of an employee's service, a certificate to the effect that he would have continued to hold the higher post for the entire period if he had not proceeded on such leave.

INSTRUCTIONS

1. *Age.* – When the year of birth alone is known the date and the month should be assumed as the first July of the year concerned; when month and year only are known the date should be assumed as the 16th.
2. Age as given in the Service Book, if subsequently, amended, should be supported by an order of Government or other competent authority approving the alteration.
3. *Age of retirement.* -See Rule 52 of Part III
4. *Alterations.* – Make in red ink under dated initials of a Gazetted employee.
5. *Application.* –Applications for service pension or gratuity and death-cum-retirement gratuity should be drawn up in Form 2. As for extraordinary pension the application should be submitted in Form A or B prescribed in Schedule IV to Rule 13 of Appendix XIII of Part III according as it is a case of (i) injury pension or gratuity or (ii) family pension.

In case of death while in service or after retirement, the application for family pension/contributory family pension and death-cum-retirement gratuity (if not received) should be furnished in Form 6 and the application for service pension/gratuity in Form 2.

6. *Application.* –The spare copies of the applicant's specimen signature and two copies (three copies in the case of Contributory Family Pension) of recent passport size, joint photographs of the applicant and his/her wife/husband should be furnished along with application.
7. *Application.* – It is permissible for employees taking leave preparatory to retirement in excess of one year to submit their normal applications for pension at the time of proceeding on such leave. If they specifically declare that they propose to retire at the end of their leave, if the proposed date of retirement is definitely known, Audit Officers will verify service wherever necessary and send their final report to the sanctioning authority. The pension may be sanctioned not more than one fortnight before the date from which it is to take effect.

8. *Application.* – A certificate as follows signed by the pensioner should be furnished with each pension application:

“I hereby declare that I have neither applied for nor received any pension or gratuity in respect of any portion of the service included in this application and in respect of which pension or gratuity is claimed herein, nor shall I submit an application hereafter without quoting a reference to this application and the orders which may be passed thereof.”

If the applicant has already received a gratuity or is in receipt of a pension whether the gratuity or pension is granted in lieu of civil pension or not the certificate should be suitably modified so as to include the following particulars;

- (a) nature and amount of pension;
- (b) the period of services in respect of which it is paid; and
- (c) by whom it is paid.

9. *Average emoluments.* – The calculations of average emoluments with reference to pension Rules 62 and 63 should be based on the actual number of days contained in each month.

10. *Character and Conduct.* – State merely good, bad fair or in different without remarks, which should be added only when absolutely necessary to a right understanding of the case.

11. *Compensation Pension or Gratuity.* – If the application is for a compensation pension or gratuity, the nature of the change of establishment, which has given to raise the claim, should be fully stated against item 11 in the first page of the application

12. *Compensation Pension owing to reduction of establishments.* – State why employment was not found elsewhere and what was the amount of savings.

13. *Delay.* – Explain any delay beyond a month in the submission of the application.

Note. – In every case in which an interval of more than six months occurs between the date of retirement of a subordinate and issue of a pension order, a report shall after the issue of the orders be submitted to Government by the Audit Officer concerned with

the explanation of all officers or authorities responsible for the delay.

14. *Foreign Service.* – Foreign service should in every case be supported by the Government orders sanctioning the transfer and memorandum of the contributions paid.
15. *History of Service.* – Give date, month and year of the beginning and ending of service.
16. In case where is/are spell/spells of non-qualifying periods(s) of service give full details of such service in column 10(b).
17. *Identification marks.* – Specify a few conspicuous marks.
18. *Last Pay Certificate.* – Any liability outstanding against the employee should be specified in the certificate. When the entries regarding recoveries in the Last Pay Certificates are blank, it should be presumed that no recoveries are pending against the retired employee. The officers and staff responsible for the preparation of the Last Pay Certificate indifferently or incompletely will be held liable to make good the amount to Government if any liability is found out subsequently.
19. *Leave irregularly granted.* – State Officers responsible and amount of allowances overdrawn.

Note. - Leave erroneously granted to an employee prior to his retirement should, if possible, be retrospectively commuted into such leave as was admissible under the rules at the time he proceeded on leave.
20. *Leave.* – Leave of any kind not counting for pension should be entered in detail.
21. *Medical Certificates.* – If granted after applicant had ceased to do duty, state cause of delay and whether it has been accepted by the authority competent to sanction pension.
22. *Medical Certificates.* – Give reasons in case of retention in service after the grant of the certificates.
23. *Medical Certificates.* – Should invariably accompany the application for an invalid pension.

24. *Medical Certificates.* – Medical Certificates should state particulars required under Rule 43 (b) and the explanation of the Head of the Office should be given under item 5 on the third page of the application.
25. *Medical Certificates.* – Medical Certificates should be granted only by Medical Board or District Medical Officer or Civil Surgeon.
26. *Medical Certificates.* – The certifying officer should be one belonging to the same district; otherwise an explanation should be given.
27. *Name.* – Specify in full, house name of applicant and his father.
28. When initial or name of applicant is incorrectly given in the various records verified, mention the fact in the letter forwarding the application to avoid unnecessary references from the Accountant General.
29. *Resignation of Service.* – The Head of the Office should state its cause when it involved a break of service.
30. *Retirement date.* – Show it in the Service Book, application for pension etc., and in the Last Pay Certificate issued after quitting service.
31. *Sanction.* – Opinion of sanctioning authority that the pension or gratuity and death-cum-retirement gratuity claimed should be admitted, should be recorded with reference to rule 115(c) (ii) to facilitate prompt issue of pension.
32. *Services.* – Cause of its termination in each appointment should be entered in Service Book and attested.
33. *Service Book.* –State reasons for omission of signature of the Head of the office or that of the applicant in any case.
34. *Superannuation.* – If ordered by the pension sanctioning authority, quote its order number and date against item 5 in the third page of the application put in by the applicant.
35. *Suspension or Dismissal.* –When the order does not contain full particulars, a brief statement thereof should be appended. If the order itself is not forthcoming a summary of available evidence should be sent with the application.

36. *Transfer from qualifying to non-qualifying service.*- Should be supported by a copy of the authority stating whether transfer was voluntary or made under an order of competent authority.
37. *Verification.* – In the column “how verified “ the class of records such as pay bills, acquittance rolls, etc., may be inserted.
- Note. – If certificate of verification of the service of an applicant for pension have been recorded in the Service Book from year to year, the periods of such service need not again be verified from pay bills, acquittance rolls, etc., at the time of preparation of his pension application.
38. *Verification of service.* – When the fact of service in another office is not satisfactorily attested in the Service Book the Head of the Office should get it verified and recorded as laid down in Rule 115 (b) (ii) statement of the applicant and collateral evidence prescribed in Rule 115 (b) (iii) duly accepted by the authority competent to sanction the pension should be produced for such periods of non-gazetted service as are not verifiable from records.
39. *Verification of Service.* – The applicant’s statement and the collateral evidence should, as far as possible, indicate whether there were any breaks in service or any leave not counting for pension granted.. They should also indicate the periods of breaks and the nature of leave as far as possible.
40. *Vernacular entries.* - Should be accompanied by translation in English.

FORM 4A

*Deletion G.O. (P)
32/84/Fin., dated
13/1/1984.

FORM 4B

[Referred to in Rule 76(a), Part III, K.S.R.]

NOMINATION FOR D.C.R. GRATUITY

When the Officer has a family

I hereby nominate the persons mentioned below who are members of my family and confer on them the right to receive, to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on my retirement may remain unpaid on my death.

| Name and addresses of nominees | Relationship with employees | Age | Amount or share of gratuity payable to each* | Contingencies on the happening of which the nominations shall become invalid. | Name, address and relationship of the person or persons, if any to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity. | Amount or share of gratuity payable to each** |
|--------------------------------|-----------------------------|-----|----------------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

This nomination supersedes the nomination made by me earlier on.which stands cancelled.

N.B. – The employee should draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.

Dated this.....day of.....20.....at.....

Witness to signature:

- 1
- 2

Signature of employee

(To be filled in by the Head of Office in the case of non-gazetted employee)

Nominated by..... Signature of Head of Office.....

Designation..... Date.....

Office..... Designation.....

Pro forma for acknowledging the receipt of the nomination form by the Head of Office/Audit Officer

To,

.....
.....
.....
.....

Sir,

In acknowledging the receipt of your nomination dated/cancellation datedof the nomination made earlier in respect of Death-cum-Retirement Gratuity in Form.....I am to state that they have been duly placed on record.

Signature of Head of Office/Audit Officer
(Designation)

Dated.....

*Note 1. – This column should be filled in so as to cover the whole amount of gratuity.

**Note 2. – The amount / share of gratuity shown in this column should cover the whole amount / share payable to the original nominees.

Deletion/Addition
G.O.(P) 32/84/
Fin., dated 13th
January 1984

If only one person is nominated the words “full” or “hundred percent” shall be indicated in the column

FORM 4C

*Deletion G.O.(P)
32/84/Fin., dated 13th
January 1984

FORM 4D

[Referred to in Rule 76(a), Part III, K.S.R]
NOMINATION FOR D.C.R. GRATUITY

When the employee has no family*

I, having no family, hereby nominate the persons mentioned below and confer on them the right to receive to the extent specified below, any gratuity that may be sanctioned by Government in the event of my death while in service and the right to receive on my death, *to the extent specified below* any gratuity which having become admissible to me on my retirement may remain unpaid at my death.

| Name and addresses of nominees | Relationship with employee | Age | Amount or share or gratuity payable to each* | Contingencies on the happening of which the nominations shall become invalid | Name, address and relationship of the person or, persons if any to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of the gratuity | Amount or share of gratuity payable to each** |
|--------------------------------|----------------------------|-----|----------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

N.B.-The Officer should draw lines across blank space below the last entry to prevent the insertion of any name after he had signed.

Date thisday of20.....at.....

Witness to signature:

- 1.....
- 2.....

Signature of employee

(To be filled by the Head of Office in the case of non-gazetted employee)

Nomination bySignature of Head of Office.....
Designation.....Date.....
Office..... Designation.....

**Pro forma for acknowledging the receipt of the nomination form by the
Head of Office/Audit Officer**

To,

.....
.....
.....
.....

Sir,

In acknowledging the receipt of your nomination dated/cancellation dated...../of the nomination made earlier in respect of Death-cum-Retirement Gratuity in Form.....I am to state that they have been duly placed on record.

*Signature of Head of Office/Audit Officer
(Designation)*

Dated.....

*Note 1. - This column should be filled in so as to cover the whole amount of gratuity. If only one person is nominated the words "full" or "hundred percent " shall be indicated in the column

**Note 2.- The amount /share of gratuity shown in this column should cover the whole amount /share payable to the original nominees.

*Deletion/Addition
G.O. (P) 32/84/Fin., dated
13th January 1984.

FORM 5

(Referred to in Rule 86 of Part III, K.S.R.)

NOMINATION FOR FAMILY PENSION

I hereby nominate the persons mentioned below, who are members of my family to receive in the orders shown below the Family Pension, which may be granted by Government in the event of my death after completion of 10 year's qualifying service.

| Name and address of nominee | Relationship with employee | Age | Whether married or unmarried |
|-----------------------------|----------------------------|-----|------------------------------|
| 1 | 2 | 3 | 4 |
| | | | |

This nomination supersedes the nomination made by me earlier on.....which stands cancelled.

N.B. –The employee should draw lines across the blank space below the last entry to prevent insertion of any name after he had signed.

Dated this.....day of.....20.....

Witness to signature:

1.....

2.....

Signature of employee

(To be filled by the Head of Office in the case of non-gazetted employees)

Nomination by the..... Signature of Head of Office.....

Designation..... Date.....

Office..... Designation.....

**Pro forma for acknowledging the receipt of the nomination form by the
Head of Office/Audit Officer**

To,

.....
.....
.....
.....

Sir,

In acknowledging the receipt of your nomination made earlier in respect of family pension in Form.....I am to state that they have been duly placed on record.

*Signature of Head of Office/Audit Officer
(Designation)*

Dated.....

FORM 5A
(See Rule 90(13), Part III, K, S, R)
DETAILS OF FAMILY

Name of the Government employee :
 Designation:
 Date of birth:
 Date of appointment:
 Details of the members of my family* as on.....

| SL. No | Names of the members of family* | Date of birth | Relationship with the employee | Initials of the Head of Office | Remarks |
|--------|---------------------------------|---------------|--------------------------------|--------------------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |

I hereby undertake to keep the above particulars up-to-date by notifying to the Audit Officer/Head of Office any addition or alteration.

Place: (Signature of the Government employee)

Dated the.....20.....

*Family for this purpose means-

- (a) Wife in the case of a male employee;
- (b) Husband in the case of a female employee;
- (c) Sons below eighteen years of age, and unmarried daughters below twenty-one years of age including sons or daughters adopted legally before retirement.
- (d) Father and mother subject to conditions in sub-rule 6-A of Rule 90;
- (e) Legally separated wife or husband as the case may be if included in the details of family shown in form 5A.

Note. – Omitted *[G.O. (P) 330/75/Fin., dated 23rd July 1975]

FORM 6

(Four pages)
(Referred to in Rules 108 and 90 of Part III, K.S.R.)
(First Page)

Application for { *Family Pension (under rules 80 to 89,PartIII)
Contributory Family Pension 1964 (under sub-rules 1 to
13 of Rule90, Part III)
Death-cum-retirement Gratuity

for the family of the late Sri/Smt.....(Designation) in the
Office/Department of

- 1. Name of Applicant
- 2. Relationship to the deceased Government employee/pensioner
- 3. Date of retirement (in the case of deceased pensioner)
- 4. Date of death of the Government employee/pensioner
- 5. Name and address of the members of the "Family" of the deceased.

Date of Birth (in Christian era)
Name and address

- (a) Widow/widower
Sons
Unmarried/divorced daughters
Widowed daughters
Minor brothers
Unmarried sisters
Widowed sisters
Father
Mother
Married Daughters
Children of the predeceased son
- (b) Widow/widower
Minor Sons
Unmarried minor daughters
Father
Mother
- 6. (a) Name of District/ Sub-Treasury
- (b) Post Office at which payment is desired

7. Descriptive roll of the applicant
 (See instructions below)
 (i) Date of birth (in Christian era)
 (ii) Height
 (iii) Identification Marks
 (iv) Left hand thumb and finger impressions

Thumb Fore Finger Middle Finger Ring Finger Little Finger

Date.....

Signature.....

Full postal address of the applicant

.....

Attested by. -

(1).....

(2).....

Witnesses

(1).....

(2).....

Instructions

1. Item 5(a) Members of the family for the purpose of Death-cum-Retirement Gratuity (See Rule 71,Part III, Kerala Service Rules).
2. Item 5(a) Members of the family entitled to family pension, under Rules 81 to 86,Part III, Kerala Service Rules do not include the last two items.
3. Item 5(b) applicable in respect of Contributory Family Pension Scheme (See sub-Rules 6 and 6A of Rule 90 of Part III, Kerala Service Rules
4. Descriptive roll including left hand thumb and finger impression should be in duplicate (in two separate sheets) and attested by two gazetted employees or persons of respectability in the town or village in which the applicant resides.
5. *Strike out whichever is not applicable.

(Second page)

HISTORY OF SERVICE

1. Name of deceased Government employee
2. Appointment held at the time of death/retirement
3. Office where last employed
4. Date of commencement of service D. M .Y
5. Date of ending of Service -----
From To Y .M .D
6. Length of Military Service -----
7. Length of Total Service Y .M .D
8. Period of non-qualifying service with full particulars
9. Net qualifying service
10. How verified (Rounded to)
11. Remark's, if any
12. Remark's of the Audit Officer

(Third Page)

(A) REMARKS BY THE RECEIVING AUTHORITY

1. As to character and past conduct of deceased employee.....
2. Explanation of any suspension or degradation.....
3. Regarding any death-cum-retirement gratuity or pension/gratuity already received by the deceased pensioner.
4. Any other remarks.
5. Specific opinion of the Receiving Authority whether the service claimed is established and should be admitted or not.

(See Rule 115 (c)(ii) of Part III, K.S.R.)

Station.....

Date.....

Signature.....

Designation.....

(B) ORDERS OF THE SANCTIONING AUTHORITY

1. The undersigned having satisfied himself/herself that the service of late Shri/Smt/Kumari..... has been thoroughly satisfactory, hereby orders the grant of a family pension of Rs.....(Rupees.....) per mensem for the period from.....to..... Shri/Smt/Kumari.....(here state the name, address and relationship to the deceased) of the said late Shri/Smt/Kumari....., which may be accepted by the Accountant General as admissible under the rules. The undersigned also orders the grant of a death-cum-retirement gratuity of Rs.....(Rupees.....) to the following persons as specified against each which may be accepted by the Accountant General as admissible under the rules.

| Sl.No | Name and address | Relationship to the deceased | Amount payable |
|-------|------------------|------------------------------|----------------|
| (1) | (2) | (3) | (4) Rs. |
| 1. | | | |
| 2. | | | |
| 3. | | | |

The undersigned having satisfied himself/herself that the service of late Shri/Smt/Kumari.....has not been thoroughly satisfactory hereby orders that the family pension of Rs.....(Rupees.....) per mensem for the period fromto.....which may be accepted by the Accountant General as admissible under the rules to Shri/Smt/Kumari.....(here state name ,address, relationship to the deceased) of the said Late Shri/Smt/Kumari.....shall be reduced by the specified amount or percentage indicated below:-

Amount or percentage of reduction in family pension.

The Death-cum-retirement gratuity of Rs.....(Rupees.....) which may be accepted by the Accountant General as admissible under the rules to the following persons as specified against each shall also be reduced by the specified amount or percentage indicated below: -

| Sl.No (1) | Name and address (2) | Relationship to the deceased (3) | Amount payable Rs. (4) |
|--------------|-------------------------|----------------------------------------|------------------------------|
|--------------|-------------------------|----------------------------------------|------------------------------|

Amount or percentage of reduction in death-cum-retirement gratuity.

- 2 The grant of this family pension and /or death-cum-retirement gratuity shall take effect from.....
3. *A sum of Rs.....(Rupees.....) on account of is to be held over from the death-cum-retirement gratuity till the outstanding dues are assessed and adjusted.
- 4 The family pension and /or death-cum- retirement gratuity is /are payable at District/sub Treasury/Post Office.....
5. This order is subject to the condition that should the amount of family pension and/or death-cum-retirement gratuity as authorized by the Accountant General be afterwards found to be in excess of the amounts to which the person concerned is entitled under the rules he/she will be called upon to refund such excess.
*To be filled in, in case a surety bond or suitable cash deposit is not forthcoming.

Note. - In cases where death takes place after retirement the service of the deceased employee would have already been verified and the expression “having satisfied.thoroughly satisfactory” above would not be used.

Station.....
Date.....

*Signature and designation of the
Sanctioning Authority*

(C) AUDIT ENFORCEMENT

1. Total period of qualifying service which has been accepted for the grant of family pension/death-cum-retirement gratuity, with reasons for disallowance, if any, other than disallowance, if any of service, the reasons for which are recorded by the Audit Officer in the second page. Y . M . D.

Note. – Service for the period commencing from.....and up to the date of retirement /death has not yet been verified; this would be done before the Pension Payment order/Authorisation for the drawal of the amount of death-cum-retirement gratuity is issued.

2. Amount of Family Pension /Death-cum-Retirement Gratuity that has been admitted. Death-cum-Retirement Gratuity Family Pension ...

3. Amount of Family Pension /Death-cum-Retirement Gratuity admissible after taking into account the reduction in pension and gratuity made by the sanctioning authority Death-cum-Retirement Gratuity Family pension

4. (a) The family pension is payable to Shri/Smt/Kumari.....son/widow/daughter of the deceased and is tenable for the period fromto.....or up to the date of death /Marriage or remarriage(in the case of a female member)whichever event occurs earlier.

- (b) The death-cum-retirement gratuity is payable to the following persons as specified against each.

| <i>Sl.No.</i> | <i>Name and address</i> | <i>Relationship to the deceased</i> | <i>Amount payable (Rs)</i> |
|---------------|-------------------------|-------------------------------------|----------------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |

5. Head of account to which the family pension/death-cum-retirement gratuity is chargeable

Date.....

(Fourth Page)

APPLICATION FOR FAMILY PENSION AND DEATH-CUM-RETIREMENT GRATUITIY

Date of Application

Name of Applicant

Sanctioning Authority

Amount of Family Pension sanctioned

Amount of Death-cum-Retirement Gratuity sanctioned

Date of commencement

Date of sanction

FORM 6A

(Referred to in Rules 118 and 90, Part III, K, S, R)
FORM OF INTIMATION

No.

Office of the.....

Dated.....

Sir/Madam

Sub: - Family Pension/Death-cum-Retirement
Gratuity in respect of late
Shri/Smt..... Payment of-Formal
application-Called for.

I am directed to inform you that you being the member of the family of the late Shri/Smt./Kumari.....(Designation) of this Office/Department are entitled to family pension/death-cum-retirement gratuity under the Kerala Service Rules, Part III.

An application form is, therefore, sent herewith for retransmission after filling in the first page thereof, along with the following documents: -

1. Death certificate
2. *Three copies of a recent passport size photograph duly attested by a gazetted employee
3. †Guardianship certificate
4. ‡Certificate of eligibility (in prescribed form) from the Tahasildar
5. Descriptive roll as required in Form 6

Signature
Designation

* The photograph need be furnished only if the applicant is eligible for family pension

† Where family pension/ death-cum-retirement gratuity is admissible to the minor children

‡ Where family pension is admissible to parents

To.....

FORM 8

(Referred to in Rule 139, Part III, K, S, R.)

This deed of indemnity executed on theday.....two thousand and.....by Sri.(H.E. name and address of the claimants).....(hereinafter referred to as “the claimants”) and Sri.....and Sri.....(H.E. names an address of the sureties).....(hereinafter referred to as “the sureties”) in favour of the Governor of Kerala(hereinafter referred to as “Government”).

Whereas a sum of Rs. (Rupees.....) is due to the estate of the deceased Shri.....from the Government being the arrears of his pay and allowance on account of his office/on account of arrears of pension.

Whereas the claimants have represented to the Government that they are legally entitled to receive the said sum they being the legal heirs of the deceased Shri.....and that the amount may be paid to them on their executing an indemnity bond with two solvent sureties as hereinafter appearing;

And whereas the Government have been pleased to sanction the request of the claimants subject to the condition that they should execute an indemnity bond as hereinafter appearing with two sureties which the claimants and sureties have agreed.

Now these presents Witnesseth as follows:

1. In consideration of the payment of the said sum of Rs..... (Rupees.....) to the claimants, the claimants and sureties hereby agree that they will at all times indemnify and keep indemnified the Government from all claims; losses and demands, if any, made or which may be made and all actions and proceedings taken or which may be taken against the Government by any person whom so ever in respect of the payment of the said amount to the claimants.
2. The claimants and sureties hereby further agree that all

sums found due to the Government under or by virtue of this bond shall be recoverable jointly and severally from them and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

3. The liability of the sureties under this deed is coextensive with that of the claimants and shall not be impaired or affected by any variation in the terms and conditions herein contained or the Government giving time or any other indulgence to the claimants.

In witness whereof the claimants and the sureties have hereunto set their hands the day and year first above written.

Signed by.....

In the presence of witnesses:

(1)

(2)

Signed by Shri.....

and Shri.....

In the presence of witnesses:

(1)

(2)

FORM 8A

(Referred to in Note 2 of clause 3 of Rule 118, Part III,
K, S, R)

This Deed of indemnity executed on this
.....day oftwo thousand
.....by Sri.(H.E. names and
addresses of the claimants)
.....(hereinafter referred to as “the claimants”) and
Sri.....and Sri.....(H.E. names
and address of the Sureties)(herein
after referred to as “the Sureties”) in favour of the
Governor of Kerala (hereinafter referred to as “the
Government”).

Whereas the claimants have represented to the
Government that they are entitled to receive the sum of
Rs.....(Rupees) being the
amount of death-cum-retirement gratuity of the deceased
Shri.....and that the amount may be paid to
them they being the surviving members of the family of
Shri.....on their executing an indemnity
bond with two solvent sureties as hereinafter appearing;

And whereas the Government have been pleased to
sanction the request of the claimants subject to the
condition that they should execute an indemnity bond as
hereinafter appearing with two solvent sureties to which
the claimants and the sureties have agreed.

Now these presents Witnesseth as follows:-

- (1) In consideration of the payment of the sum of
Rs..... (Rupees
.....) to the claimants, the claimants
and sureties hereby agree that they will at all times
indemnify and keep indemnified the Government from
all claims; losses and demands, if any, made or which
may be made and all actions and proceedings taken or
which may be taken against the Government by any
person whomsoever in respect of the payment of the said
amount to the claimants.

- (2) The claimants and sureties hereby further agree that all sums found due to the Government under or by virtue of this bond shall be recoverable jointly and severally from them and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.
- (3) The liability of the sureties under this deed is co-extensive with that of the claimants and shall not be impaired or affected by any variation in the terms and conditions herein contained or the Government giving time or any other indulgence to the claimants.
- (4) The stamp duty chargeable on the deed shall be borne by the Government.
- (5) In witness whereof the claimants and the sureties have hereunto set their hands the day and year first above written.

Signed by

In the presence of witnesses :

(1)

(2)

Signed by Shri.....

and Shri.....

In the presence of witnesses :

(1)

(2)

FORM II

(Referred to in Rule 110, Part III, K.S.R)

FORMAL APPLICATION FOR PENSION/COMMUTATION

From

.....
.....
.....

To

.....
.....
.....

Sub:- Application for sanction of pension and Commutation of Pension.

Sir,

I am due to retire from service with effect from the my date of birth being I therefore request that steps may kindly be taken with a view to sanction the pension and gratuity admissible to me being sanctioned by the date of retirement.

I desire to commute percent / Part of the pension that may be sanctioned to me from time to time.

I desire to draw my pension/gratuity/commutation amount from the District Treasury/Sub Treasury By Postal Order.

(2) I hereby declare that I have neither applied for nor received any pension gratuity or commuted value in respect of any portion of the service qualifying for this pension and in respect of which pension and/or gratuity is claimed herein nor shall I submit an application hereafter without quoting a reference to this application and the orders which may be passed thereon.

*(3) I certify that no judicial or departmental proceeding has been instituted against me or is continuing now.

(4) I attach herewith

(i) two specimen signature of mine, duly attested.

* Substitution G.O. (P) No.262/85/Fin. Dated 9/5/1985.

- (ii) † three copies of recent passport size joint photographs of wife/husband and mine also duly attested.
- (iii) ‡ two slips each bearing my left hand thumb and finger impression.
- (iv) two slips each showing particulars of my height and identification marks.
- (v) my present address isand my postal address after retirement will be.....
- (vi) A statement in Form 5A giving details of my family.

Date.....

Signature
Designation

† In respect of an applicant not governed by the Contributory Family Pension Scheme two copies of recent passport size joint photographs of the applicant and his/her/wife/husband should be attached with the application. Where it is not possible for a Government employee to submit photograph with his/her wife/husband, he/she may submit separate photographs. A gazetted Government employee shall have the photograph attested by the Head of Office before sending the same to the Audit Officer. In the case of non-gazetted Government employee the Head of Office shall attest the photograph before forwarding in Form 2 the pension papers- to the Audit Officer.

‡ This is required only in the case of persons who are illiterate and cannot sign their names.

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