



**GOVERNMENT OF KERALA**

# **THE KERALA SERVICE RULES**

**VOLUME I**

**PARTS I & II**

**SIXTH EDITION**

(Embodying corrections up to 31<sup>st</sup> August 1999)

ISSUED BY THE AUTHORITY OF THE GOVERNMENT OF KERALA

**FINANCE DEPARTMENT**

- 
- **Government will not be responsible for any unauthorised alteration in the original text of the Volume .**

## PREFACE TO THE FIRST EDITION

The service personnel of the State of Kerala comprise officers of the former Travancore-Cochin State, those transferred from the former Madras State on the date of reorganization of the States and those appointed to the service of the new State on or after 1<sup>st</sup> November 1956. The officers of the former Travancore – Cochin State themselves consist of officers who belonged to the former States of Travancore and Cochin. The service conditions of these different categories of officers are now governed by three different sets of Rules, viz., (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. The need for a unified set of rules to regulate the service conditions of the employees of the State of Kerala is obvious. Accordingly Government are pleased to issue these new unified rules under the proviso to Article 309 of the Constitution of India.

2. The rules are set forth in three parts as follows :-

Part I - Rules relating to the General Conditions of Service, Pay fixation, Leave, Joining time, Foreign Service, etc.

Part II - Rules relating to Travelling Allowance

Part III - Pension

These rules shall be deemed to have come into force from the 1<sup>st</sup> November 1959.

3. These rules are applicable to all officers who entered the service of the Kerala State on or after the 1<sup>st</sup> November, 1956. The rules are also applicable to those who came into the service of this State from the former State of Travancore – Cochin and the former Madras State and who elect to be governed by these rules. No option will however be given in regard to the T.A. Rules. All officers will be governed by the new rules in the matter of Travelling Allowance.

Any officer who finds any error or omission in these rules or any difficulty in implementing them is requested to bring it to the notice of the Secretary to Government, Finance Department.

TRIVANDRUM,  
7TH NOVEMBER 1959.

P.S. PADMANABHAN  
Finance Secretary

## PREFACE TO THE SECOND EDITION

Since the issue of the First Edition, there have been several amendments to these rules; very many 'Rulings' and 'Government Decisions' have also been issued there under. These 'Rulings' and 'Government Decisions' have been furnished under the relevant Rules to make their application easy. All the amendments issued upto 31<sup>st</sup> March 1964 have been incorporated in this Edition.

C. THOMAS  
Finance Secretary

## PREFACE TO THE THIRD EDITION

More than six years have elapsed since the issue of the Second Edition of the Kerala Service Rules. During this period there had been considerable changes in the service conditions of Government employees necessitating the issue of a series of amendments to the Rules. All the amendments, rulings and decisions introduced after the issue of the Second Edition have been incorporated in this Edition.

A change has been made in this Edition. This volume contains only Parts I – (Rules relating to the General conditions of Service, Pay, Leave, Joining time, Foreign Service, etc.) and II – (Rules relating to Travelling Allowance) of the Kerala Service Rules and the relevant Appendices and Forms. Part III – (Pension) will be issued as a separate volume.

The arrangement of the rules followed in the previous editions has been retained in this Edition also.

The Preface to the previous Editions have been reproduced and the instructions contained in the concluding paragraph of the Preface to the First Edition continue to apply.

TRIVANDRUM,  
31<sup>st</sup> August, 1970.

P.VELAYUDHAN NAIR  
Finance Secretary

## PREFACE TO THE FOURTH EDITION

The present edition comprises of Parts I and II of the Kerala Service Rules and follows the form and order adopted in the third edition. Part III Kerala Service Rules has since been issued as a separate Volume in 1974. This edition incorporates all amendments, rulings and decisions ordered by Government since the last edition covering the period upto 31<sup>st</sup> August 1976.

Any officer who finds any error or omission in these rules or any difficulty in implementing them is requested to bring it to the notice of the Secretary to Government, Finance Department.

TRIVANDRUM,  
19TH OCTOBER, 1976.

K.V. RABINDRAN NAIR  
Finance Secretary

## PREFACE TO THE FIFTH EDITION

The present edition comprises of Parts I and II of the Kerala Service Rules and follows the form and order adopted in the fourth edition. Part III Kerala Service Rules has since been issued as a separate Volume in 1974. This edition incorporates all amendments, rulings and decisions ordered by Government upto 31<sup>st</sup> December 1985.

Any officer who finds any error or omission in these rules or any difficulty in implementing them is requested to bring it to the notice of the Secretary to Government, Finance Department.

TRIVANDRUM.

K.V. RABINDRAN NAIR  
Commissioner & Secretary (Finance)

## PREFACE TO THE SIXTH EDITION

This Sixth edition of Kerala Service Rules, Volume I is published after a lapse of 14 years since the last edition. All amendments and modifications upto 31<sup>st</sup> August 1999 have been incorporated in this edition.

A number of changes have been made in this new edition. The traditional format has been changed. Referencing is made easy as the number and date of the Government Orders incorporating amendments/ modifications are shown on the right side along with the relevant portion of the text, instead of the foot notes followed in the past.

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

Comments, if any, for improving this volume are welcome.

THIRUVANANTHAPURAM,  
18TH NOVEMBER, 1999

VINOD RAI  
Principal Secretary (Finance)



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# THE KERALA SERVICE RULES PART I

## PAY, LEAVE, JOINING TIME, ETC.

### CHAPTER I

#### GENERAL SCOPE

1. (i) These rules may be called the Kerala Service Rules.
- (ii) The rules in Part I and Part II shall be deemed to have come into force with effect from 1<sup>st</sup> November 1959 and those in Part III shall be deemed to have come into force from 1<sup>st</sup> November 1956.
2. Subject to the provisions of Rule 3,-
  - (i) the rules in Part II relating to Travelling Allowance shall apply to every person in the whole time employment of the Government (other than a person so employed in the contingent or work establishment);
  - (ii) the remaining rules shall apply to every person in the whole time employment of the Government (other than a person so employed in the contingent or work establishment),-
    - (a) who was not in the service of the Government of Travancore-Cochin or the Government of Madras on 31<sup>st</sup> October 1956, or
    - (b) who was in the service of the Government of Travancore-Cochin or the Government of Madras on 31<sup>st</sup> October 1956 and who continued to be in the service of the Government of Kerala, but has opted to be governed by these rules in accordance with such conditions as may be laid down by the Government in this behalf; or
    - (c) who was absorbed to Government service on or after 1<sup>st</sup> November 1956, but who prior to such date was in the service of any quasi-Government or other institution and whose appointment and conditions of service were governed by any law or rule made under any law for the time being in force, if such person exercises his option to be governed by these rules, subject to such conditions as may be laid down by Government in this behalf.

#### **Ruling**

The rules in Part II, Kerala Service Rules relating to Travelling Allowances shall apply to the persons appointed to the service of the Government temporarily under Rule 9 of Part II of the Kerala State and Subordinate Service Rules also.

[G.O.(P)1082/87/Fin.,  
dt. 16-12-1987]

3. (i) These rules shall not apply to,-
  - (a) persons for whose appointment and conditions of employment special provision is made by or under any law for the time being in force;
  - (b) persons in respect of whose conditions of service, pay and allowances, pension, leave or any of them, special provision has been made by agreement entered into before these rules were made or entered into thereafter in pursuance of the provisions of Rule 8:

Provided that in respect of any matter not covered by the provisions special to him, his service or his post, these rules shall apply to any person coming within the scope of clauses (a) and (b) above, to whom but for those clauses the rules would otherwise

apply.

- (ii) Notwithstanding anything contained in Rule 2 the Government may, by notification in the Gazette, exclude wholly or in part from the operation of these rules any officer or any class of such officers to whom the Government shall declare that the rules cannot suitably be applied, and these rules shall thereupon to the extent of such exclusion, cease to apply accordingly.

Note.—These rules as a whole shall not apply to the persons appointed to the service of the Government temporarily under Rule 9 of Part II of the Kerala State and Subordinate Service Rules, 1958, except to the extent specified by the Government.

[G.O.(P) 77/87/Fin.,  
dt.22-1-1987]

#### **Government Decision**

The direct recruits to the personal staff of the Ministers will be governed by the service conditions specified in the Special Rules applicable to them and in respect of any matter not covered by the provisions in such Special Rules, the provisions in the Kerala Service Rules will apply.

[G.O.(P) 68/65/Fin.,  
dt.16-2-1965]

4. If any doubt arises as to whether these rules apply to any person, the matter shall be referred to the Government and the decision of the Government shall be final.
5. Nothing in these rules or in any rule made thereunder shall operate to deprive any person of any right or privilege to which he is entitled,-
  - (a) by or under any law, or
  - (b) by the terms of any contract or agreement subsisting between such person and Government on the date these rules come into force.
6. Subject to the provisions of Rule 5, nothing in these rules or any rule made under these rules shall operate to affect to the disadvantage of any person holding a substantive post under Government to whom these rules apply, the conditions of service in respect of pay, leave, allowances, pension or any other matter which are applicable to him -
  - (a) on the date these rules came into force, or
  - (b) by virtue of any order or rule made by the Government, unless such person gives his consent.
7. Where Government are satisfied that the operation of any rule under these rules causes undue hardship in any particular case, the Government may dispense with or relax the requirements of that rule to such extent and subject to such conditions as they may consider necessary for dealing with the case in a just and equitable manner.
8. When in the opinion of the Government, special provisions inconsistent with any of these rules or of any rules made thereunder are required in respect of conditions of service, pay and allowances, leave and pension or any of them, with reference to any particular post, it shall be open to the Government, notwithstanding anything contained in these rules, to provide by agreement with the person appointed to such post for any of the matters in respect of which in the opinion of the Government special provisions are required to be made, and to the extent to which such provisions are made in the agreement, nothing in these rules or in any rules made thereunder shall apply to any person so appointed in respect of any matter for which provision is made in the agreement :

Provided that in every agreement made it shall further be provided that in respect of any matter in respect of which no provision has been made in the agreement, the provisions of these rules or of rules made thereunder shall apply. (For model form of agreement See Appendix I).

9. The Government may delegate to any of its officers subject to any conditions which it may think fit to impose any power conferred upon it by these rules with the following exceptions :-
- (a) power to make rules;
  - (b) [Deleted];
  - (c) power to regulate the terms and conditions for grant of compensatory allowances;
  - (d) to determine the standard rent of buildings and the rent recoverable from an officer occupying the residence;
  - (e) to remit leave and pension contributions in respect of an officer transferred on foreign service; and
  - (f) to permit an officer on foreign service to receive pension or gratuity from foreign employer.
10. No powers may be exercised or delegated under these rules except after consultation with the Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given.
11. The Government reserve to themselves the power to modify these rules as may from time to time seem expedient and to interpret them in case of doubt.

#### **Ruling**

An officer's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; to leave, by the rules in force at the time the leave is applied for and granted; and to pension, by the rules in force at the time when the officer resigns or is discharged from the service of the State.

Persons governed by the Kerala Service Rules who were on leave on the crucial date, i.e. 1<sup>st</sup> November 1959, the leave having been sanctioned in good faith and availed of from a date prior to 1<sup>st</sup> November 1959 will be treated to have come over to the leave rules in the Kerala Service Rules on the expiry of the first spell of leave originally sanctioned. Any further extension of such leave after 1<sup>st</sup> November 1959 should be regulated only in terms of the rules in Kerala Service Rules. No arrears will, however, be paid, nor amounts drawn in excess recovered as a result of such readjustment of leave.

## CHAPTER II

### **DEFINITIONS**

12. Unless there be something repugnant in the subject or context the terms defined in this chapter are used in the rules in the sense here explained :-
- (1) *Actual travelling expenses*.-means the actual cost of transporting an officer and his personal luggage including charges for ferry and other tolls and for carriage of camp equipment, if necessary. It does

not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like, or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of servants.

- (2) *Apprentice*.- means a person deputed for training with a view to employment in Government service, who draws pay at monthly rates from Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.
- (3) *Audit Officer*.- means the Head of the Office of Accounts and Audit subordinate to the Comptroller and Auditor General of India, whether designated as Comptroller or Accountant General or by any other designation.
- (3A) *Average Pay*.- [Deleted].
- (4) *Cadre*.- means the strength of a service or part of a service sanctioned as a separate unit.
- (5) *Compensatory Allowance*.- means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes Travelling Allowance.
- (5A) *Competent Authority*.- Competent authority in respect of any officer, in so far as any power delegated under these rules is concerned, means the authority to which such power has been delegated and where no such specific delegation has been made, the competent authority is, unless otherwise stated, the authority in whom the power to appoint such officer has been or is vested from time to time by the State Government.
- (6) *Day*.- means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed 24 hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.
- (7) *Duty*.-Duty includes-
- (i) Service as a probationer or apprentice, provided that such service is followed by confirmation.
  - (ii) Joining time.
  - (iii) A course of instruction or training which an officer undergoes specially ordered by Government to be treated as duty.

[G.O.(P) 491/75/Fin.,  
dt.24-10-1975]

Note 1.- A student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a University, College or School shall unless in any case it be otherwise expressly provided in the terms of his appointment, be treated as on duty during the interval between the satisfactory completion of the course and his assumption of duties.

Note 2.- An officer required or permitted to attend an obligatory departmental examination may be treated as on duty during the day or days of the examination and during the reasonable time required for the journey, if any, to and from the place of examination.

*Explanation.*

The term 'obligatory departmental examination' means-

- (i) any test a pass in which is prescribed for the successful completion of probation or training of an officer, whether recruited direct or by transfer;

[G.O.(P) 366/76/Fin.,  
dt. 26-11-1976]

- (ii) any test a pass in which is prescribed for the purpose of making an officer eligible for increment or for confirmation in any post;
- (iii) any test a pass in which is prescribed for promotion to any higher post coming in the line of promotion in the department concerned ;
- (iv) any test a pass in which is prescribed as a qualification for continuance in the post;
- (v) any test a pass in which is newly prescribed for persons already in the service concerned.

Note 3.-The period spent on training by officers who are reservists of the Defence Forces and the period of their journey to and from the training centre may be treated as duty.

### **Ruling**

In all cases of deputation of officers for a course of instruction or training under these rules, the period of such training, if treated as duty under sub-clause (iii) of the above rule, should be specified as such in the orders sanctioning such deputation. A separate clause that the period will count for increment, leave and pension is not necessary in such cases. In case where an officer selected for training is found unsuitable on medical examination or otherwise, the period spent by him in India for journey for medical examination, etc. in connection with the training will be treated as leave and no Travelling Allowance will be allowed for such journeys.

Note 4.- When a Government Servant on return from leave, training, foreign service or on termination of previous appointment, has compulsorily to wait for orders of posting, the interval between the date of report and the date on which he takes charge of his duties shall be treated as 'duty' provided that the interval between the date of receipt of orders and his assumption of duties shall not in any case exceed the amount of joining time admissible under Rule 125 (a). During such period of duty, he will be entitled to pay according to Rule 26. Avoidable delay caused in giving posting orders in such cases shall render the authorities concerned, liable for the excess expenditure, if any, caused thereby.

[G.O.(P)475/75/Fin.,  
dt. 9-10-1975]

Note 5.- The period spent on training by teachers (both stipendiary and non-stipendiary) deputed for training from departmental Schools to Training Colleges/Training Schools may be treated as duty.

[G.O.(P) 322/67/Fin.,  
dt. 29-7-1967]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> November 1959.

Note 6.- When a Government Servant is deputed by Government to participate in a Civil service Tournament as a member of the team or to participate in the coaching camps organised in connection thereto, the period spent for participation in such tournaments/coaching camps, including the time taken for to and fro journeys will be treated as duty.

*Explanation.* - The term 'Civil Service Tournament' shall mean India Civil Services Tournaments organised by (a) the Central Civil Service Sports Control Board, (b) State Governments on behalf of the above Board and (c) Sports Councils or Associations authorised by the State Government, on behalf of the Central Civil Service Sports Control Board.

[G.O.(P) 211/82/Fin.,  
dt. 5-5-1982]

The note shall be deemed to have come into force with effect from 1<sup>st</sup> July 1980.

- (8) *Fee.*- means a recurring or non-recurring payment to an officer from a source other than the General Revenues whether made directly

to the officer or indirectly through the intermediary of Government but does not included—

- (a) unearned income, such as income from property, dividends and interests on securities ; and
  - (b) income from literary, cultural or artistic efforts, if such efforts are not aided by the knowledge acquired by the officer in the course of his service.
- (9) *Foreign Service*- means service in which an officer receives his pay with sanction of Government from any source other than the Consolidated Fund of India or of a State.
- (10) *General Revenues*.- General Revenues of Kerala include the Consolidated Fund, the Contingency fund and the Public Account of Kerala and exclude the revenues of Local Funds.
- (11) *Government*.- means the Government of Kerala.
- (12) *Gratuity*.- (See Pension)
- (13) *Heads of Departments*.- The term includes -
- (a) Officers who have been declared by the Government to be Heads of Departments. (See Appendix II)
  - (b) Any other authority to which the Government may delegate the powers of a Head of Department.
- (14) *Holiday*.- means -
- (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881; and
  - (b) in relation to any particular office, a day on which such office is ordered by notification of Government in the Gazette to be closed for the transaction of Government business without reserve or qualification.
- (15) *Honorarium*.- means a recurring or non-recurring payment granted to an officer from the General Revenues of the State as remuneration for special work of an occasional or intermittent character.
- (16) *Joining Time*.- means the time allowed to an officer to join a new post or travel to or from a station to which he is posted.
- (16 A) *Last Grade Service*.- means service in any post included in the Kerala Last Grade Service constituted by the Special Rules for the Kerala Last Grade Service, published under G.O.(P) 82/Public (Rules) Department, dated the 8<sup>th</sup> March 1966, in Part I of the Kerala Gazette No.14, dated the 5<sup>th</sup> April 1966, as amended from time to time, and includes \*all other posts carrying the lowest scale of pay in the schedule of pay scales in force from time to time and service in any post declared by the Government to be a post in the Last Grade Service.
- (17) *Leave salary*.- means the monthly amount paid by Government to an officer on leave.
- (18) *Lien*.- means the title of an officer to hold substantively, either immediately or on termination of a period or periods of absence, a permanent post to which he has been appointed substantively.
- (19) *Local fund*.- means -
- (a) revenues administered by bodies which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally or to specific

[G.O.(P) 1060/79/Fin.,  
dt. 6-12-1979]

\*[G.O.(P) 626/93/Fin.,  
dated 4-10-1993]



matters, such as the sanctioning of their budgets; sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules; and

- (b) the revenues of any body which may be specially notified by the Government as such.
- (20) *Ministerial Officer*.- means an officer of a subordinate service whose duties are entirely clerical, and any other class of officer specially defined as such by general or special orders of Government.
- (21) *Month*.- means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Note. - Whenever it is necessary to calculate a period in calendar months, the period shall be taken to end either on the day of the month corresponding to the day before the day on which the period begins or if there is no such corresponding day in the month, then on the last day of the month.

*Example*.-A period of six calendar months beginning on the 28<sup>th</sup> February ends on the 27<sup>th</sup> August, 31<sup>st</sup> March ends on the 30<sup>th</sup> September, 30<sup>th</sup> or 31<sup>st</sup> August ends on the 28<sup>th</sup> February or 29<sup>th</sup> February, if leap year.

In calculating a period of 3 months and 20 days from 25<sup>th</sup> January, 3 months should be taken as ending on the 24<sup>th</sup> April and the 20 days on 14<sup>th</sup> May. In the same way the period from 30<sup>th</sup> January to 2<sup>nd</sup> March should be reckoned as 1 month and 2 days, because one month from 30<sup>th</sup> January ends on 28<sup>th</sup> February. A period of one month and 29 days commencing from 1<sup>st</sup> January will expire in an ordinary year (in which February is a month of 28 days) on the last day of February because a period of 29 days cannot obviously mean to exceed a period of full calendar month and leave for two months from 1<sup>st</sup> January would end on the last day of February. The same would be the case if February were a month of 29 days or if the broken period were 28 days (in an ordinary year).

- (22) *Officiate*.- An officer officiates in a post when he performs the duties of a post on which another person holds a lien. The appointing authority may, if it thinks fit, appoint an officer to officiate in a vacant post on which no other officer holds a lien.
- (23) *Pay*.- means the amount drawn monthly by an officer as-
- (i) the pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre, and
  - (ii) personal pay and special pay, and
  - (iii) any other emoluments which may be specially classed as pay by the Government.
- (24) *Pension*.-Except when the term 'Pension' is used in contradistinction to gratuity or 'Death-cum-retirement gratuity', 'Pension' includes 'gratuity' and 'Death-cum-retirement gratuity'.
- (25) *Permanent Post*.- means a post carrying a definite rate of pay sanctioned without limit of time.
- (26) *Personal Pay*.- means additional pay granted to an officer-
- (a) to save him from loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure

; or

- (b) in exceptional circumstances, on other personal considerations.

*Note.* - All cases in which it is proposed to grant personal pay under clause (b) of the above rule should be referred to the Finance Department by the Administrative Department concerned. No case will be entertained which is not of an entirely exceptional character and in submitting cases for the grant of personal pay, this should be carefully borne in mind.

- (27) *Presumptive Pay of a Post.*- When used with reference to any particular Government servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant, performs or discharges the work or responsibility in consideration of which the special pay was sanctioned.

*Note.* - The first part of the definition is intended to facilitate the use of the term in relation to an officer who has been absent from a post for some time but still retains a lien on it.

- (28) *Probationer.*-means an officer employed on probation in or against a substantive vacancy in the cadre of a department.

*Note 1.*-The term 'Probationer' does not cover an officer who holds substantively a permanent post in a cadre and is appointed 'on probation' to another post.

*Note 2.*-No person appointed substantively to a permanent post in a cadre is a probationer unless definite conditions of probation have been attached to his appointment such as the condition that he must remain on probation pending the passing of certain examinations.

*Note 3.*-The status of a probationer is to be considered as having the attributes of a substantive status except where the rules prescribe otherwise.

*Note 4.*-The instructions in Notes 1 and 2 above are to be taken as complementary and not as mutually exclusive. Taken together, they contain the essence of the tests for determining when an officer should be regarded as a "Probationer" or as merely "on Probation", irrespective of whether he is already a permanent officer or is merely an officer without a lien on any permanent post. While a probationer is one appointed in or against a post substantively vacant with definite conditions of probation, a person on probation is one appointed to a post (not necessarily vacant substantively) for determining his fitness for eventual substantive appointment to that post.

- (29) *Public Conveyance.*-means a train, steamer, bus, boat or other conveyance which plies regularly for the conveyance of passengers.

- (30) *Qualify.*- 'Qualify' and 'Count' means qualify and count for pension, from the General Revenues or for leave of absence, as the case may be.

- (31) *Special Pay.*- means an addition of the nature of pay to the emoluments of a post or of an officer granted in consideration of the following :-

- (a) where a post would call for a higher scale of pay in view of the additional and/or higher responsibilities attached to it, or

- (b) where the nature of work is specially arduous ;

or

- (c) where an officer has to attend to work in addition to normal duties attached to his post.

[G.O.(P) 393/75/Fin.,  
dt. 30-8-1975]

*Note* .- When special pay is granted in lieu of a higher timescale of pay such special pay will count for purposes for fixation of pay on promotion to a higher post provided the Officer was drawing it continuously for a minimum period of three years on the date of promotion. Special pay in a tenure post or special pay drawn on deputation will not, however, be considered for such fixation of pay.

- (32) *Subsistence Allowance*.-means a monthly grant made to an officer who is not in receipt of pay or leave salary.
- (33) *Substantive Pay*.- means the pay other than special pay, personal pay or emoluments classed as pay by Government under Rule 12 (23) (ii) and (iii) above to which an officer is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

*Note* .-When a special pay is granted in lieu of a higher time scale, such special pay will also count as substantive pay, provided the officer holds a lien on the post to which the special pay is attached.

- (34) *Temporary Post*.-means a post carrying a definite rate of pay sanctioned for a limited time.
- (35) *Time-scale of Pay*.- means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay hitherto known as progressive:-

- (a) Time-scales are said to be *identical* if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.
- (b) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre or a class in a cadre, such cadre or class having been created in order to fill all posts, involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments, so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.

*Note* .-Method of calculation of average pay of a post on a time-scale of pay -

- (1) In the case of gazetted appointments on time-scales of pay the following formula may be applied for ascertaining the average pay :-

$$\text{Average pay} = (A+B)/2 + (B-A)/2 [1-(R+1) \{.014+1-.01R/F-E \}]$$

Where A = Minimum pay,

B = Maximum pay,

R = Period of rise,

E = Average age at entry in the Grade, and

F = Average age at retirement on superannuation pension.

This may be taken to be 55 in almost every case unless there are special reasons to take it either at a lower or a higher figure.

- (2) In the case of non-gazetted post on time scales of pay, the following formula is to be applied :-

$$\text{Average pay} = (A+B)/2+(B-A)/2[1-(R+1) \{.021+ (1-.015R /F-E)\}]$$

Where A = Minimum pay,

B = Maximum pay,

R = Period of rise,

E = Average age at entry in the Grade, and

F = Average age at retirement on superannuation pension. This may be taken to be 55 in almost every case unless there are special reasons to take it either at a lower or a higher figure.

- (3) In cases where one grade is the channel of promotion to another grade, that is to say where everybody in the lower grade is ultimately promoted to the higher grade, the following formula may be adopted to find the average cost of appointments in the lower grade :-

[G.O.(P) 52/65/Fin.,  
dt. 3-2-1965]

$$\text{Average pay} = A + C/2 + (C - A)/2 \{ 1 - (S + 1) \{ 0.006 + (1 - 0.004S)/G - E \} \}$$

Where A = Minimum pay,

C = Pay just before promotion to the higher grade,

S = Period of rise from A to C,

E = Average age at entry in the lower grade, and

G = Average age at the time of promotion to the higher grade.

- (4) If the average pay worked out by any of the methods prescribed, falls below the minimum of the time-scale plus one fourth of the difference between the minimum and maximum of the time scale, the average of the minimum and the maximum of the timescale shall be taken as the average pay.

[G.O.(P) 359/76/Fin.,  
dt. 23-11-1976]

#### Government Decision

A scale of pay is reckoned as higher time-scale on the following principles :-

according to the higher maximum,

if the maximum is the same, according to the higher minimum, and

if the maximum and the minimum are the same according to the rate of increment.

- (36) *Transfer*.- means the movement of an officer from one headquarter station in which he is employed to another such station, either,
- (a) to take up the duties of a new post, or
- (b) in consequence of a change of his headquarters.
- (37) *Travelling Allowance*.- means an allowance granted to an officer to cover the expenses which he incurs in travelling in the interest of the public service. It includes allowances granted for the maintenance of conveyances.

#### Government Decision

The expressions 'road mileage' and 'mileage allowance' wherever they occur, shall be assigned meaning as referring to 'distance in kilometres'.

[G.O.(P) 36/64/Fin.,  
dt. 20-1-1964]

### CHAPTER III

#### GENERAL CONDITIONS OF SERVICE

13. Except as provided by this rule, no person may be appointed to a post in Government service without his producing a medical certificate of health in the form annexed below. The Government may, in individual cases, dispense with the production of a certificate, and may by general orders exempt any specified class of officers from the operation of this rule.

## FORM

I do hereby certify that I have examined A B, a candidate for employment in the ..... Department, and cannot discover that he has any disease, constitutional affection or bodily infirmity except..... I do not consider this a disqualification for employment in the office of.....

A B's age is according to his own statement x years and by appearance y years.

A B has been re-vaccinated/vaccinated or has/had smallpox.

*Note 1*-The certificate prescribed above must ordinarily be signed by a Civil Medical Officer of rank not lower than a Civil Surgeon or Honorary Medical Officer of Civil Surgeon's rank or the Director of Indigenous Medicine, but in the case of a person whom it is proposed to appoint to a post the maximum pay of which is not more than \*Rs.1050 and who cannot conveniently be brought before an officer of higher rank, a certificate from an Assistant Surgeon with M.B.B.S. degree may, at the discretion of the appointing authority, be accepted.

[G.O.(P) 1109/87/Fin.,  
dt. 23-12-1987]

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1985.

*Note 2*- An officer, in whom a defect has been noticed by the Medical Officer who granted him his first certificate of health, may not be transferred from the office to which he was originally appointed, to another office, the duties of which are different in character, except on production of another certificate from a competent authority to the effect that the defect will not materially interfere with the discharge of his new duties by reason of such transfer.

*Note 3*-The following classes of officers are exempted from producing a medical certificate of health :-

- (1) an officer recruited through a competitive examination who had to undergo medical examination in accordance with regulations prescribed for appointment to service under Government;
- (2) an officer in service other than the last grade appointed in a temporary vacancy of less than three months duration;
- (3) an officer in the last grade appointed in a temporary vacancy of less than six months duration ;
- (4) a temporary officer who has already been medically examined in one office if transferred to another office without a break in service subject to the provision of Note 2 above;
- (5) a retired officer re-employed immediately after retirement.

*Note. - 4-(a)* The production of a medical certificate is necessary when-

- (i) an officer is promoted from non-qualifying service paid from a Local Fund to a post in Government service other than last grade;
- (ii) a person is re-employed after resignation or forfeiture of past service;
- (b) when a person is re-employed in circumstances other than those referred to in clause (a) (ii) above the appointing authority will decide whether a medical certificate should be produced.

*Note 5*.-Once a person is asked to produce a medical certificate of fitness for entry into Government service whether in a temporary or permanent capacity and has actually been examined and declared unfit, it is not open to the appointing authorities subordinate to Government to use their discretion to ignore the certificate that has been produced.

**Government Decision**

The question of laying down appropriate rules to govern the Medical Examination of candidates recruited to Government service was considered by Government. After taking into account all the relevant aspects of the question, the following rules have been laid down in this behalf:

1. Normally a candidate should be medically examined before his first appointment. In certain cases, however, when a candidate is required to join immediately for work or for training, the appointment may be made without first obtaining the medical certificate, though the appointment should be subject to the officer being declared medically fit. In all such cases, if an officer is declared unfit on medical examination and he prefers an appeal he should be retained in service till the case is finally decided.
2. Similarly, in the case of a Government servant whose appointment is made on a temporary basis on the strength of a medical certificate issued by a lower authority or without such a certificate, it may be necessary to get a certificate of fitness from the appropriate medical authority. If the appropriate medical authority finds that the person is not fit for retention in service at all and if an appeal for a second medical examination from the Government servant concerned is accepted the person concerned should be allowed to continue in service till the verdict of appropriate medical authority is known. In case it is decided not to accede to the request for further medical examination, the services of the officer should be terminated forthwith.
3. The intimation regarding unfitness of a candidate should immediately on receipt be communicated to the person concerned with a note that appeal, if any, must be made by the candidate/ Government servant concerned within one month of the communication of the findings of the Medical Officer and that, if any, Medical certificate is produced as piece of evidence about the possibility of an error of judgement in the decision of the Medical Officer who examined him, in the first instance, the certificate must contain a note by the Medical Officer concerned to the effect that it has been given in full knowledge of the fact that the candidate has already been rejected as unfit for service by a Medical Officer.
4. In case no appeal (with requisite evidence in support of his case) is preferred by the candidate/ Government servant within one month of the date of communication to him of the findings of the Medical Officer, his services should be terminated forthwith on the expiry of the period of one month and ordinarily no appeal should be allowed after the expiry of that period.
5. In case where a Government servant or a candidate for Government service is declared unfit for retention in Government service or appointment in the Government service by a Medical Officer, the grounds for rejection may be communicated to him in broad terms without giving minute details regarding the defects pointed out by the Medical Officer. Cases where the grounds of rejection have not been clearly stated by the Medical Officer, in his report, may be referred to the Government for advice.
6. For the first Medical Examination of the candidate/ Government servant as well as the subsequent examinations found necessary by the appointing authority on account of an appeal,

the appointing authority shall give suitable requisition to the Medical Officer concerned.

7. No appeal shall lie against the adverse findings of a Medical Officer to whom the case is referred on appeal.

*Note 1.* - Certificate of physical fitness for entry into Government service should always be from Medical Practitioners of Modern Medicine or from Doctors of Indigenous Medicine.

*Note 2.* - The Medical Authority who is to issue a medical certificate a second time on appeal shall be of a higher status than the other who issued the first medical certificate.

*Note 3.* - When a final certificate has been issued either by the Director of Health Services, or by the Director of Indigenous Medicines, that certificate will be final and no appeal will be permitted [Vide G.O.(P) 1034/61/Pub. (Ser.D), dated 2nd December 1961 and G.O.(P) 570/62/Pub. (Ser. D), dated 25<sup>th</sup> October 1962]

[G.O.(P) 343/63/Fin.,  
dt. 7-6-1963]

- 14.** Unless in any case it be otherwise distinctly provided, the whole time of an officer is at the disposal of the Government which pays him and he may be employed in any manner required by proper authority, without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from the General Revenues of India or of the States or the Revenues of a Local Fund or from the funds of a Body, incorporated or not, which is wholly or substantially owned or controlled by the Government.

*Note 1.* -Every officer must attend the office punctually. For every three day's late attendance without permission, an officer will forfeit a day's casual leave for which he is eligible. The computation of the forfeiture of a day's casual leave will be with respect to the calendar year and late attendance without permission for less than three days at the end of a calendar year will be ignored.

*Note 2.* -No other kind of leave except casual leave shall be forfeited for late attendance without permission. Disciplinary action under the Kerala Civil Services (C.C and A.) Rules, 1960 may be taken against the officers concerned for late attendance without permission if there is no casual leave to be forfeited.

[G.O.(P) 593/70/Fin.,  
dt. 20-8-1970]

**14 A.** [Deleted]

This amendment shall be deemed to have come into force with effect from 3<sup>rd</sup> February, 1988.

[G.O.(P) 549/88/Fin.,  
dt. 31-8-1988]

- 15.** (a) Two or more officers cannot be appointed substantively to the same permanent post at the same time.
- (b) An officer cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time.
- (c) An officer cannot be appointed substantively to a post on which another officer holds a lien.
- 16.** Unless in any case it be otherwise provided in these rules, an officer on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.
- 17.** Unless his lien is suspended under Rule 18 or transferred under Rule 20 an officer holding substantively a permanent post retains a lien on that post-
- (a) while performing the duties of that post;

- (b) while on foreign service or holding a temporary post, or officiating in another post;
  - (c) during joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
  - (d) while on leave;
  - (e) while under suspension; and
  - (f) while under training.
18. (a) The Government shall suspend the lien of an officer on a permanent post which he holds substantively if he is appointed in a substantive capacity—
- (1) to a permanent post outside the cadre on which he is borne, or
  - (2) provisionally to a post on which another officer would hold a lien had his lien not been suspended under this rule.
- (b) The Government may, at their option, suspend the lien of an officer on a permanent post which he holds substantively, if he is transferred to foreign service or in circumstances not covered by clause (a) of this rule, is transferred, whether in a substantive or officiating capacity to a post in another cadre, and in any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

#### **Ruling**

The lien of an officer on a permanent post should not be suspended when he is appointed to a higher post in a different cadre, in case the higher post falls within the regular line of promotion from the lower post.

[G.O.(P) 102/66/Fin.,  
dt. 25-3-1967]

- (c) if an officer's lien on a post is suspended under clause (a) or (b) of this rule, the post may be filled substantively, and the officer appointed to hold it substantively, shall acquire a lien on it; provided that the arrangements shall be reversed as soon as the suspended lien revives.

*Note.* -When a post is filled substantively under this clause, the appointment will be termed a provisional appointment, the officer appointed will hold a provisional lien on the post and that lien will be liable to suspension under clause (a) but not under (b) of this rule.

- (d) an officer's lien which has been suspended under clause (a) of this rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-clause (1) or (2) of that clause.
- (e) an officer's lien which has been suspended under clause (b) of this rule shall revive as soon as he ceases to be on foreign service or to hold a post in another cadre, provided that a suspended lien shall not revive because the officer takes leave, if there is reason to believe that he will on return from leave, continue to be on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-clause (1) or (2) of clause (a).

*Note.* -When it is known that an officer on transfer to post outside his cadre is due to retire on superannuation pension within three years of his transfer, his lien on the permanent post cannot be suspended.



- 19.** (a) An officer's lien on a post may in no circumstances be terminated, even with his consent, if the result will be to leave him without a lien or a suspended lien upon a permanent post.
- (b) In a case covered by sub-clause (2) of clause (a) of Rule 18, the suspended lien may not, except on the written request of the officer concerned, be terminated while the officer remains in Government service; provided that it shall be open to the competent authority to refuse consent for the confirmation or retention of an officer in a permanent post outside the cadre on which he is borne unless he makes a written request that his lien on the permanent post in his parent office should be terminated.
- 20.** Subject to the provisions of Rule 21 the Government may transfer to another permanent post in the same cadre the lien of an officer who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.
- 21.** (a) The Government may transfer an officer from one post to another; provided that, except-
- (1) on account of inefficiency or misbehavior, or
- (2) on his written request,
- an officer shall not be transferred substantively to, or except in a case covered by Rule 58, appointed to officiate in a post carrying less pay than the pay of the permanent post on which he holds a lien, or would hold a lien had his lien not been suspended under Rule 18.
- (b) Nothing contained in clause (a) of this rule or in clause (18) of Rule 12 shall operate to prevent the transfer of an officer to the post on which he would hold a lien, had it not been suspended in accordance with the provisions of clause (a) of Rule 18.
- Note.* - Permanent transfers from a higher to lower scale in anticipation of the abolition of a post are not transfers within the meaning of the above rule.
- 22.** An officer may be required to subscribe to a provident fund, a family pension fund or similar fund in accordance with such rules as the Government may by order prescribe.
- Note 1.* - An officer who has entered service before the 19<sup>th</sup> August, 1976, may, however, opt to subscribe for a policy in the official Branch of the State Life Insurance instead of the Provident Fund.
- Note 2.* - Officers who are subscribers to the Family Benefit Scheme, going on deputation/foreign service shall continue to subscribe to the Family Benefit Scheme and they themselves shall arrange for effecting recovery and remittance of the amount from their pay.
- 22A.** Every person who enters Government service on or after the 19<sup>th</sup> August 1976, shall within a period of one year from the date of his entry in Government service, subscribe to a policy in the official branch of the State Life Insurance at such rate as may be determined by the Government from time to time and shall continue to subscribe till he ceases to be in Government Service.
- Note.* - When an employee crosses one pay range to the next higher range, he shall take additional policy within 2 years of his coming to the next higher pay range. But this condition shall not apply to an employee who has attained the age of 45 years at the time of crossing over to the next higher range.
- 22 B.** Every person who enters Government service on or after the 1<sup>st</sup> day of September, 1984 shall enrol as a member of the Group Insurance Scheme.

[G.O.(P) 83/80/Fin.,  
dt. 23-1-1980]

[G.O.(P) 83/80/Fin.,  
dt. 23-1-1980]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> September 1984.

[G.O.(P) 962/86/Fin.,  
dt. 30-12-1986]

23. (a) Subject to any exceptions specifically made in these rules, an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties. If the charge is transferred afternoon, the transfer does not affect pay and allowances until the next day.

*Exception.*-An officer deputed for a course of instruction or training which is ordered to be treated as duty, if promoted to a higher post in the regular line during such course of instruction or training, may draw the pay thereof, without joining it, the benefit of promotion being given from the date his junior assumes charge of the higher post.

[G.O.(P) 434/65/Fin.,  
dt. 17-11-1965]

- (b) If, however, the substantive appointment of an officer is changed while he is officiating in an appointment, or if, while so officiating, an officer is appointed for the first time, to some substantive office, then, provided that the tenure of his officiating appointment is not interrupted by his new substantive appointment, he may draw the pay thereof without joining it from the date on which he is appointed thereto, or from any later date on which the substantive office becomes vacant.
- (c) Promotions which do not involve a change of duties shall have effect from the date of the vacancy which occasions the promotion.

*Note.*- The detailed procedure to be followed when an officer assumes or relinquishes charge of an office is contained in Appendix III.

#### **Government Decision No. 1**

Questions have been raised regarding the authority competent to accept a resignation, the circumstances under which resignation should be accepted, the date when a resignation becomes effective, and the authority competent to permit a Government servant to withdraw a resignation which he has already tendered. The following instructions will be followed :

- (a) *Authority competent to accept resignation.*—The appointing authority in respect of the service or post in question is the authority competent to accept the resignation of the Government servant.
- (b) *Circumstances under which resignation should be accepted.*- It is not in the interest of Government to retain an unwilling officer in service. The general rule, therefore, is that resignation from service should be accepted after settling the liabilities outstanding against the Government servant, except in the circumstances indicated below:-
- (i) Where the officer concerned is engaged on work of importance and it would take time to make alternative arrangements for filling the post, the resignation should not be accepted straight away, but only, when alternative arrangements for filling the post have been made.
- (ii) Where a Government servant who is under suspension submits a resignation, the competent authority should examine with reference to the merits of the disciplinary case pending against the Government servant whether it would be in the public interest to accept the under suspension. Exceptions to this rule would be where the alleged offences do not involve moral turpitude or where the quantum of

evidence against the accused officer is not strong enough to justify the assumption that if the departmental proceedings were continued, the officer would be removed or dismissed from service or where the departmental proceedings are likely to be so protracted that it would be cheaper to the Public Exchequer to accept the resignation.

- (c) *Date when a resignation becomes effective.*—The competent authority should decide the date with effect from which the resignation should become effective. In cases covered by (b) (i) above the date should be that with effect from which alternative arrangements can be made for filling the post. Where an officer is on leave, the competent authority should decide whether he will accept the resignation with immediate effect or with effect from the date following the termination of the leave. There is also no objection to a Government servant on leave being permitted to resign his post without rejoining duty after leave, provided the appointing authority so decides with due regard to the administrative convenience of the department. Where a period of notice is prescribed which a Government servant should give when he wishes to resign from service the competent authority may decide to count the period of leave towards the notice period. In other cases also it is open to the competent authority to decide whether the resignation should become effective immediately or with effect from some prospective date. In the latter case, the date should be specified.

- (d) *Authority competent to permit withdrawal of resignation.*— A resignation becomes effective when it is accepted and the officer is relieved of his duties. Where a resignation has not become effective and the officer wishes to withdraw it, it is open to the authority which accepted the resignation either to permit the officer to withdraw the resignation or to refuse the request for such withdrawal. Where, however, a resignation has become effective, the officer is no longer in Government service and acceptance of the request for withdrawal of resignation would amount to re-employing him in service after condoning the period of break.

[G.O.(P) 98/65/Fin.,  
dt. 22-3-1965]

Concurrence of 'Finance', and the Public Service Commission, wherever necessary, should be obtained before a request for withdrawal of resignation which has already become effective, is accepted.

#### **Government Decision No.2**

Condonation of the period of break and revival of past service in such cases will be for the purpose of pension only, if it is otherwise admissible. The Government servant's earlier service will not count for fixation of pay, increment or leave. His pay will be fixed at the minimum of the scale of pay of the post to which he is re-employed after resignation and the period of break will be treated as a period spent out of employment.

[G.O.(P) 82/66/Fin.,  
dt. 3-3-1966]

24. Unless the Government in view of the special circumstances of the case, otherwise determine, after five years' continuous absence from duty, an officer shall be removed from service after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960, \* except in cases covered by Rule 24A.

\*This amendment shall be deemed to have come into force with effect from 16<sup>th</sup> December, 1983.

[G.O.(P) 953/86/Fin.,  
dt. 27-12-1986]

**\*24A.**

Notwithstanding anything contained in these rules, if an officer who availed himself of leave without allowances to take up employment abroad or within the country \*\*[or for joining spouse] for a total period of †fifteen years, whether continuously or in broken periods, does not return to duty immediately on the expiry of the leave, his service shall be terminated after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

\*\*[G.O.(P) 1002/97/Fin.,  
dt. 6-11-1997]

*Note.* - This rule shall have effect from the 16<sup>th</sup> day of December, 1983 and shall apply to all cases of grant of leave without allowances on or after that date, for taking up employment abroad or within the country, in extension of the leave already granted or otherwise, and such leave granted before that date shall be reckoned for applying the †fifteen years limit.

\*This amendment shall be deemed to have come into force from 16<sup>th</sup> December 1983.

\*[G.O.(P) 953/86/Fin.,  
dt. 27-12-1986]

†This amendment shall be deemed to have come into force from 27<sup>th</sup> December 1986.

† [G.O.(P) 20/93/Fin.,  
dt. 5-1-1993]

#### CHAPTER IV

#### PAY

**25.**

Except in the case of personal pay granted in the circumstances defined in Rule 12 (26) (a), the pay of an officer shall not be so increased as to exceed the pay sanctioned for his post without the sanction of Government.

**26.**

When an officer is treated as on duty under Rule 12 (7) (iii), the Government may, at their option, authorise payment to him of the pay of his substantive appointment or of any lower rate of pay which they may consider suitable, provided that the pay admissible may, if the Government so direct, be instead of either of the rates just specified, the pay of any officiating appointment which the officer would have drawn but for undergoing such training, subject however to the condition that this rate of pay shall not be allowed for a period longer than that for which the officer would have held the officiating appointment had he not been placed on such course of training.

*Note 1.* - A reservist of the Defence Services in the employment of the State Government, when called up for periodical training, receives the pay and allowances to which he is entitled under the Defence Services. He will also receive the excess, if any, of his pay under the Government over the pay under Defence Department. The periods spent in training and on the journey to and from the place of training will be treated as duty for purposes of leave, increments and pension.

*Note 2.* - The expressions "the pay of his substantive appointment" and "the pay of any officiating appointment" occurring in the above rule should be taken to mean "the pay which the officer would have drawn in the post which he holds substantively" and "the pay which the officer would have drawn in the officiating appointment but for undergoing the training". In neither case, is there any restriction to draw the following kinds of emoluments which the officer would have drawn in the substantive or officiating appointment but for the training :

[G.O.(P) 434/65/Fin.,  
dt. 17-11-1965]

- (i) Basic pay
- (ii) Special pay granted in lieu of a higher time-scale of pay
- (iii) Personal pay

- (iv) Any other emoluments specially classed as pay and which are specifically allowed to be drawn during training
- (v) Dearness pay
- (vi) Dearness allowance
- (vii) House rent allowance

#### **Ruling**

An officer holding a provisional appointment deputed for training where the period of training is treated as duty will be allowed to draw for the period of training the pay and allowances attached to the provisional appointment, if it is certified by the competent authority that the officer would have held the provisional appointment but for his deputation for training.

27. Rules 28 to 37 apply to time-scale of pay generally. They do not, however apply to any time-scale sanctioned by the Government in so far as they are inconsistent with terms specially so sanctioned for such time-scale.

28. The initial substantive pay of an officer who is appointed substantively to a post on a timescale of pay is regulated as follows :

If he holds a lien on a permanent post or would hold a lien on such a post had his lien not been suspended, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the old post :

Provided that except in cases of re-employment after resignation or removal or dismissal from public service, if he either has previously held substantively or officiated in (i) the same post, or (ii) a permanent or temporary post on the same time-scale, or (iii) a permanent post on an identical time-scale or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government) on an identical time-scale then the initial pay shall not, except in cases of reversion to the parent cadre governed by item (iii) above be less than the pay which he drew on the last such occasion and he shall count the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay. The service rendered in a post referred to in item (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay, to the extent and subject to the conditions indicated below:-

- (a) The officer should have been approved for appointment to the particular grade/post in which the previous service is to be counted;
- (b) All his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which the benefit is to be allowed or in higher posts, whether in the department itself or elsewhere, and at least one junior was holding a post in the department carrying the scale of pay in which the benefit is to be allowed; and
- (c) the service will count from the date his junior is promoted and the benefit will be limited to the period the officer would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

*Note* 1.- The provisions in the above rule apply in cases of substantive appointments to higher time-scales of pay only. In other cases the officer's pay in the new appointment shall be fixed at his pay in the previous

appointment, if it is a stage in the new scale or at next lower stage, if it is not a stage in the new scale, the difference being treated as personal pay, such personal pay, being absorbed in future increases of pay. This will not, however, apply to cases of reversions.

Note 2.- The provisions in item (ii) of the proviso to the above rule in respect of protection of pay and period of increment shall be applicable to Government servants on their appointment directly or on transfer from a post carrying identical timescale of pay without fulfilment of the conditions indicated thereunder subject to the condition that this benefit will not be admissible to an individual who enters Government service for the first time from a post in a body incorporated or not which is wholly or substantially owned or controlled by Government.

28A

Notwithstanding anything contained in these rules, where an officer holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying a higher time-scale of pay, his initial pay in the higher time-scale of pay, shall be fixed at the stage next above the pay notionally arrived at in the lower time-scale of pay by increasing the actual pay drawn by him in the lower time-scale by one increment. A refixation of pay will be allowed whenever there is a change of pay in the lower time-scale.

This rule shall be deemed to have come into force with effect from 3<sup>rd</sup> February 1962.

Provided that the provisions of this rule shall not apply to promotions from posts carrying a scale of pay the minimum pay of which exceeds \*Rs.2,640

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> July, 1988.

[G.O.(P) 1005/92/Fin.,  
dt. 27-11-1992]

The limit of Rs.550 has been revised to Rs.650 with effect from 1<sup>st</sup> January 1966 [G.O. (P) 261/67/Fin., dated 4<sup>th</sup> July 1967, G.O.(P) 91/68/Fin., dated 5<sup>th</sup> March 1968] and Rs.650 to Rs.900 with effect from 1<sup>st</sup> July 1968 [G.O. (P) 173/70/Fin., dated 20<sup>th</sup> March 1970] and from Rs.900 to Rs.1200 with effect from 1<sup>st</sup> July 1973 [G.O. (P) 136/75/Fin., dated 1<sup>st</sup> April 1975 and from Rs.1,200 to Rs.1,550 with effect from 1<sup>st</sup> July 1978[G.O.(P) 493/79/Fin., dated 28<sup>th</sup> May 1979] and from Rs.1550 to Rs.2100 with effect from 1<sup>st</sup> July, 1983 [G.O.(P) 1109/87/Fin. dated 23<sup>rd</sup> December 1987] and from Rs.2100 to Rs.2640 with effect from 1<sup>st</sup> July 1988 [G.O.(P) 1005/92/Fin. dated 27<sup>th</sup> November, 1992]

[G.O.(P) 624/84/Fin.,  
dt. 29-10-1984]

Provided also that where a Government servant is immediately before his promotion or appointment to a higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by an amount equal to the last increment in the time-scale of the lower post.

[G.O.(P) 348/75/Fin.,  
dt. 1-8-1975]

Effective from the date of orders.

Provided that if he has either previously held substantively or officiated in (i) the same post or (ii) a permanent or temporary post on the same time-scale or (iii) a permanent post on an identical time-scale or a temporary post on an identical timescale, such post being on the same time-scale as a permanent post, then the initial pay shall not be less than the pay which he drew, on the last such occasion and he shall count for increment the period during which he drew that pay on such last or any previous occasions.

[G.O.(P) 710/70/Fin.,  
dt. 5-10-1970]

This amendment shall be deemed to have come into force

with effect from 21<sup>st</sup> July 1964.

#### **Ruling No.1**

In cases where the application of the rule would give rise to anomalies in as much as an officer officiating in a higher post could get his pay refixed at a stage higher than the pay drawn by another who stands confirmed in the higher post on the same scale of pay, the anomaly will be removed by refixing the pay of the senior officer at the stage equal to that fixed for the junior officer in the higher post, the orders of refixation being issued by the competent authority under Rule 34, Part I, Kerala Service Rules. The refixation of pay in such cases will be made subject to the following conditions:

- (a) Both the junior and senior officers should belong to the same cadre and the post in which they have been promoted or confirmed, as the case may be, should be identical and in the same cadre.
- (b) The scale of pay of the lower post in which they would have drawn their pay but for their promotion or confirmation should be identical.
- (c) The anomaly should be directly as a result of the application of Rule 28A. For example, if the junior officer draws from time to time a higher rate of pay than the senior by virtue of fixation of pay under the normal rules or any advance increment granted to him, the provision contained in this ruling should not be involved to step up the pay of the senior officer.
- (d) The refixation of pay of the senior officer should be done with effect from the date of refixation of pay of the junior officer. The next increment of the senior officer will however be drawn on the date on which it would have fallen due but for this refixation of pay.

#### **Ruling No.2**

In the case of a Government servant, officiating in a post and whose pay had been refixed under this rule, if he is confirmed in that post with effect from a retrospective date, the refixation of pay done after the date of confirmation will have to be revised. The over payments consequent on such revision will first be set off against the arrears, if any, that might become payable to the Government servant for a portion of the period from the date of confirmation to the date of issue of orders of confirmation. The balance of overpayments that cannot be set off against the arrears, if any, shall be waived.

[G.O.(P) 24/65/Fin.,  
dt. 13-1-1965]

This Ruling will be deemed to have come into force with effect from 3<sup>rd</sup> February 1962.

#### **Ruling No. 3**

The refixation of pay in the higher officiating post on the date of change of pay in the lower time-scale contemplated in this rule cannot be allowed during the period of bar on increment with or without cumulative effect. But, in the cases of bar on increment without cumulative effect there is no objection to give the refixation on a notional basis and to give the monetary benefit after the expiry of the period of bar. Increments accruing in the lower substantive/officiating post from time to time cannot also be allowed during the period of bar.

[G.O.(P) 650/72/Fin.,  
dt. 12-12-1972]

#### **Ruling No 4**

Increments barred with or without cumulative effect in the lower substantive officiating post shall not be reckoned for

[G.O.(P) 150/77/Fin.,  
dt. 17-5-1977]

fixation/refixation of pay in the higher time-scale. But in the case of bar on increment without cumulative effect, there is no objection to grant the barred increments notionally for fixation/refixation of pay and to give the monetary benefit after the expiry of the period of bar.

**Ruling No. 5**

A revision of pay as contemplated in Ruling No. 2 shall not be necessary in the case of retrospective confirmation ordered after the date of retirement of an officer.

[G.O.(P) 79/75/Fin.,  
dt. 3-3-1975]

This ruling will be deemed to have taken effect from 3<sup>rd</sup> February 1962.

**Government Decision No. 1**

1. The provisions of this rule will not apply to cases of revision of scales of pay referred to in Rule 30 *ibid*.

2. An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission or otherwise is eligible for his initial pay being fixed under this rule and is also entitled to the benefit of a refixation contemplated in the last sentence of the rule.

G.O.(P) 475/90/Fin.,  
dt. 25-9-1990]

Effective from 31<sup>st</sup> October, 1986.

3. When a person who holds a post in a regular capacity is appointed to a post on a higher time-scale in the same service under Rule 31 or in a different service under Rule 9 of Kerala State and Subordinate Services Rules, fixation of pay under this rule is permissible with reference to the pay drawn in the regular appointment.

4. When a fresher is appointed provisionally to a post otherwise than on the advice of the Public Service Commission, under Rule 9 of Kerala State and Subordinate Service Rules and again appointed to a still higher post under the same rule, a fixation of pay in the higher post with reference to the pay drawn in the lower post is not admissible.

5. A person holding a post in a regular capacity is appointed provisionally to a post in the same service under Rule 31 of the Kerala State and Subordinate Service Rules. He is again appointed to a still higher post in the same service under Rule 31 or to a post in another service under Rule 9 of Kerala State and Subordinate Services Rules. Fixation of pay with reference to the provisional pay drawn in the post to which he was appointed provisionally at first is not admissible in the other posts.

[The decisions 1,3,4 and 5 above will be deemed to have taken effect from 3<sup>rd</sup> February 1962, the date on which the rule came into force]

[G.O.(P) 6/65/Fin.,  
dt. 4-1-1965]

6. The pay drawn by an officer in an ex-cadre post can be counted for purpose of initial fixation of pay on promotion in the parent department. But the benefit of refixation of pay contemplated in the rule is not admissible to him as he loses connection with the ex-cadre post on appointment to the parent department.

[G.O.(P) 580/70/Fin.,  
dt. 13-8-1970]

7. The benefit of pay drawn in an ex-cadre post for purpose of initial fixation will not be admissible, if an officer is reverted to the parent department, to a post carrying a scale of pay lower than that of the ex-cadre post.

[G.O.(P) 223/77/Fin.,  
dt. 14-7-1970]



**Government Decision No. 2**

The benefit of refixation of pay contemplated in the last sentence in the first para of the rule is admissible even in cases where the change of pay is due to fixation of pay on account of revision of scale of pay. If both the lower and the higher time-scales are revised, the benefit will be restricted to the cases of options exercised in respect of both the posts simultaneously.

**Government Decision No. 3**

Notional increment at the biennial increment shall be reckoned in the lower scale for fixation of pay in the higher scale under Rule 28A.

[G.O.(P) 458/75/Fin.,  
dt. 26-9-1975]

This decision shall be deemed to have come into force with effect from 1<sup>st</sup> July 1973.

**Government Decision No. 4**

The benefit of reckoning notional increment beyond the maximum of the scale of pay of the lower post will also be admissible in cases where an employee reaches the maximum of the post in the lower time-scale of pay before he gets an increment in the scale of pay of the higher post and in such cases, he will be eligible for a refixation consequent on the change of pay in the lower time-scale.

[G.O.(P) 274/78/Fin.,  
dt. 14-3-1978]

This decision shall be deemed to have come into force with effect from 1<sup>st</sup> August 1975.

**Government Decision No. 5**

[Deleted]

[G.O.(P) 475/90/Fin.,  
dt. 25-9-1990]

The amendment shall be deemed to have come into force with effect from 25<sup>th</sup> June, 1986.

29. The initial substantive pay of an officer who is appointed substantively to a post on a time-scale of pay which has been reduced for reasons other than a diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time-scale as it stood prior to reduction, is regulated by Rule 28.

30. The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment in the old scale, or until he vacates his post or ceases to draw pay in that time-scale. The option once exercised is final.

*Note 1.*-This rule applies to an officiating holder of a post as well. But any break in the officiating period such as that due to transfer to another post, or non-employment would operate as vacating of the post and the pay during a subsequent officiating period in the same post will be fixed only as if the officer was then appointed to the new scale of pay. 'The holder of a post' occurring in this rule applies also to a person who is not actually holding the post, the pay of which is changed, provided he has a lien or a suspended lien on that post.

The words 'his old pay' in the proviso of the rule should be held to include not only the rate at which the individual was drawing his officiating pay on the crucial date but also the time-scale of pay in which he was drawing that pay. Thus for the period of option the old scale of pay in which he was drawing his officiating pay should be treated as continuing for the individual concerned.

Note 2.- Option under the proviso of the rule to officers under suspension is governed by the following :-

1. Cases in which the revised scale of pay takes effect from a date prior to the date of suspension.

In such cases the officer should be allowed to exercise the option under Rule 30 even if the period, during which he is to exercise the option, falls within the period of suspension. He will be entitled to the benefit of increase in pay if any, in respect of the duty period before suspension, and also in the subsistence allowance, for the period of suspension, as a result of such option.

2. Cases in which the revised scale of pay takes effect from a date falling within the period of suspension—

- (a) Under suspension an officer retains a lien on his substantive post. As the expression 'holder of a post' occurring in Rule 30 includes also a person who holds a lien or a suspended lien on the post even though he may not be actually holding the post, such an officer should be allowed option under Rule 30 even while under suspension. The benefit of option will however, practically accrue to him in respect of the period of suspension, only after his reinstatement, depending on the fact whether the period of suspension is treated as duty or not.

- (b) An officer, who does not retain a lien on a post the pay of which is changed, is not entitled to exercise the option under Rule 30. If, however, he is reinstated in the post and the period of suspension is treated as duty, he may be allowed to exercise the option after such reinstatement. In such cases, if there is a time-limit prescribed for exercising the option and such period had already expired during the period of suspension, a relaxation may be made in each individual case for extending the period during which the option may be exercised.

### Government Decision

The following principles will be followed for fixation of pay when the scale of pay of a post held on a provisional basis is revised :-

- (i) If the pay drawn in the previous scale is less than the minimum of the revised scale then the pay in the revised scale may be fixed at the minimum.
  - (ii) If the pay drawn in the previous scale is a stage in the revised scale the pay in the revised scale may be fixed at that stage.
  - (iii) If the pay drawn in the previous scale is not a stage, then the pay in the revised scale may be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increase in pay.
2. The above principles will also be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post provisionally, except in cases of reversion.
  3. Past cases settled otherwise, will not be re-opened.

[G.O.(P) 297/66/Fin.,  
dt. 5-7-1966]

### Ruling No.1

If an officer earns increment earlier than or after the original date on which he was supposed to get it at the time of exercise of option under the above rule due to revision of the date of increment, his pay should automatically be re-fixed with effect from the revised date of increment with reference to the original option exercised by him under this rule and there will be no need for exercising a fresh option and issue of special orders for this.

[G.O.(P) 364/67/Fin.,  
dt. 14 -8-1967]

### Ruling No.2

The pay of an officer when the post held by him is upgraded will be regulated as follows :

- (i) If the competent authority specifically orders that the appointment of an officer to the upgraded post involves an enhancement of duties and higher responsibilities and is therefore a promotion, pay will be fixed under Rule 28, 28A or 37 (a) of Part I, Kerala Service Rules, as the case may be.
- (ii) In other cases, pay will be fixed under Rule 37 (a), Part I Kerala Service Rules.

[G.O.(P) 522/81/Fin.,  
dt. 21-8-1981]

- 31.** An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from an officer by the Government or by any authority to whom the Government may delegate this power under Rule 9 if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of the increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

*Note 1.-* An officer shall not be eligible for an increment unless he has acquired the obligatory departmental test qualifications, if any, prescribed by Government from time to time to earn the increment.

*Note 2.-* A competent authority may order the deferring of the increment of an officer, pending investigation into his conduct or performance of work, in disciplinary cases. Such deferring of increment will not be construed as 'withholding of increments' under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

**Government Decision No. 1**

An increment shall be granted from the first day of the month in which it falls due.

[G.O. (P) 154/74/Fin.,  
dt. 8-7-1974]

This decision shall be deemed to have come into force with effect from 1<sup>st</sup> April 1974.

**Government Decision No.2**

Increment accruing consequent on declaration of probation shall be drawn only with effect from the date of completion of probation but subsequent increment shall be drawn on the first day of the month in which they fall due.

[G.O. (P) 133/75/Fin.,  
dt. 31-3-1975]

This decision shall be deemed to have come into force with effect from 1<sup>st</sup> April 1974.

**Ruling**

In cases where penalties of withholding of increments are imposed on an officer, one after another, in separate disciplinary cases, the effect of the first order withholding increment will continue for the period specified in that order. There after, the pay will be fixed by granting the increments which would have been admissible, but for the imposition of penalty and only then will the second order withholding increment be implemented, which will continue to be in force for the period specified therein, and so on.

[G.O.(P) 329/84/Fin.,  
dt. 5-7-1984]

- 32.** Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to an officer without the specific sanction of the authority empowered to withhold increments.

*Note 1.-* On each occasion on which an officer is allowed to pass an efficiency bar which had previously been enforced against him, he should come over to the time-scale at such stage as the authority competent to declare the bar

removed, may fix for him, subject to the pay admissible according to his length of service.

*Note 2.*- The cases of all officers held up at an efficiency bar should be reviewed annually with a view to determine whether the quality of their work has improved and generally, whether the defects for which they were stopped at the bar have been remedied, to an extent sufficient to warrant the removal of the bar.

**33.** The following provisions prescribe the conditions on which service counts for increments in a time-scale :-

(a) All duty in a post on a time-scale counts for increments in that time-scale.

**Ruling**

Periods of service in a post on a time-scale at the same stage of pay only will count for increment in that time-scale.

[G.O. (P) 235/80/Fin.,  
dt. 7-4-1980]

The above ruling will be deemed to have come into force with effect from 1<sup>st</sup> November 1959.

(b) (1) Service in another post other than a post carrying less pay referred to in clause (a) of Rule 21, whether in a substantive or officiating capacity, service on deputation and leave except leave without allowances taken otherwise than on medical certificate shall count for increments in the time-scale applicable to the post on which the officer holds a lien as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.

[G.O.(P) 544/62/Fin.,  
dt. 8-11-1962]

&

G.O.(P) 81/64/Fin.,  
dt. 21-2-1964]

(2) All leave except leave without allowances taken otherwise than on medical certificate and service on deputation count for increments in the time-scale applicable to a post in which an officer was officiating at the time he proceeded on leave or deputation and would have continued to officiate but for his proceeding on leave or deputation:

Provided that the leave without allowances under Rule 91 A shall count for increments subject to the following conditions :-

[G.O.(P) 204/76/Fin.,  
dt. 15-7-1976]

1. The period qualifying for increments shall be restricted to the normal period required for completion of the course, and
2. Increments shall be granted only on production of the diploma or degree or completion of the course.

Provided further that the Government shall have power in any case in which they are satisfied that the leave without allowances was taken for any cause beyond the officer's control, to direct that leave without allowances shall be counted for increments under sub-clause (1) or (2).

\*Provided also that leave without allowances taken by teachers for completion of training courses such as B.Ed., Hindi Teachers' Training, Language Teachers' Training and Teachers' Training Certificate Course shall count for increment.

\*This proviso shall be deemed to have come into force with effect from 17<sup>th</sup> June 1980.

[G.O.(P) 305/82/Fin.,  
dt. 18-6-1982]

\*Provided also that leave without allowances taken without production of medical certificate in continuation of maternity leave in accordance with the proviso to Rule 102 will count for increment'.

\*This proviso shall be deemed to have come into force with effect from 5<sup>th</sup> June, 1978.

[G.O.(P) 145/86/Fin.,  
dt. 11-2-1986]

*Note.* - In cases coming under sub-clause (2) the appointing authority should certify that the officer would have actually continued to officiate in the post but for his proceeding on leave and the period of leave will count for increments only to the extent it is covered by the certificate. Where no officiating arrangement is made in a leave vacancy and where the incumbent is likely to return to the same post after the expiry of the leave the authority sanctioning the leave may issue such a certificate at the time of grant of leave. In all cases where the certificates are issued the fact should be recorded in the Service Book as and when such certificates are issued along with the leave particulars.

- (c) If an officer, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post or is appointed or re-appointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post.

If an officer on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post subject to the same conditions as are laid down for cases falling under item (ii) of proviso to Rule 28.

*Exception* - In cases where the appointment is to officiate in a higher post or to hold a higher temporary post, in the regular line, the officiating and temporary service in the higher post shall count for increments in time-scale applicable to the lower post, even if the officer is not re-appointed to the lower post or is not appointed or re-appointed to a post on the same time-scale of pay.

The period of officiating/temporary service in the higher post which counts for increment in the lower is, however, restricted to the period during which the officer would have officiated in the lower post but for his appointment to the higher post. This clause applies also to an officer who is not actually officiating in the lower post, but who would have so officiated in such lower post or in a post on the same timescale of pay had he not been appointed to the higher post.

*Note.* - For the purpose of this rule, the officiating and temporary service in the higher posts will include the period of leave which counts for increments under clause (b).

[G.O.(P) 97/70/Fin.,  
dt. 3-2-1970]

&

[G.O.(P)56/72/Fin.,  
dt. 1-3-1972]

- (d) If an officer's substantive tenure of a temporary post is interrupted by duty in another post other than a post carrying less pay referred to in clause (a) of Rule 21 or by leave other than leave without allowances or by foreign service, such duty or leave or foreign service counts for increments in the time-scale applicable to the temporary post if the officer returns to the temporary post:

Provided that the Government may in any case in which they are satisfied that the leave was taken on account of illness or for any other cause beyond the officer's control, direct that leave without allowances shall be counted for increments under this clause.

- (e) Foreign service counts for increments in the time-scale applicable to—
- (i) the post in Government service on which the officer concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and
  - (ii) any post in which he would have officiated or to which he may receive officiating promotion under Rule 143 below for the duration of such promotion.
  - (iii) any post in the parent cadre on a lower scale of pay to which the officer is appointed on reversion from the ex-cadre post subject to the fulfilment of the conditions mentioned in item (iii) of proviso to Rule 28.

*Note 1.-* Joining time counts for increments :-

- (i) If it is under clause (a) of Rule 125, in the time-scale applicable to the post on which the officer holds a lien or would hold a lien had his lien not been suspended as well as in the time-scale applicable to the post, the pay of which is received by the officer during the period, and
- (ii) If it is under clause (b) of Rule 125, in the time-scale applicable to the post/posts on which the last day of leave before commencement of the joining time counts for increments.

[G.O. (P) 544/62/Fin.,  
dt. 8-11-1962]

*Explanation.-* For the purposes of this rule, the period treated as duty under sub-clause (ii) of clause (7) of Rule 12 shall be deemed to be duty in a post if the officer draws pay of that post during such period.

*Note 2.-* In the case of an officer who, while officiating in a post proceeds on training or to attend a course of instruction and who is treated as on duty, while under training, the period of such duty will count for increment in the post in which he was officiating prior to his being sent for training or instruction if he is allowed the pay of the officiating post during such period.

#### **Government Decision No. 1**

A Government servant thrown out of service for want of vacancy and again reappointed after a break in the same post or in another post carrying the same time-scale of pay can count his prior service for purposes of increment under Rule 33 (a) read with Rule 12 (35) (b).

[Circular No.  
32532/RAI/61/Fin.,  
dt. 12-1-1962]

#### **Government Decision No. 2**

[Deleted]

This deletion shall be deemed to have come into force with effect from 1<sup>st</sup> October, 1994.

[G.O.(P) 540/94/Fin.,  
dt. 30-9-1994]

34.

The Government may grant a premature increment to an officer on a time-scale of pay.

*Note.-* In the case of increments granted in advance, it is usually the intention that the officer should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments as an officer who has so risen.

#### **Government Decision No. 1**

In Rule 34 of Kerala Service Rules, Part I, it is laid down that Government may grant a premature increment to an officer on a timescale of pay without prejudice to his normal increment. At present there is no ruling or Government decision as to the circumstances under which the rule regarding the grant of advance

increments could be invoked in individual cases.

2. Good service entries and incentive awards are possible variants to advance increments for the recognition of meritorious service rendered by Government servants. In G.O.(Ms.) 849/59/PD, dated 24<sup>th</sup> September 1959, it has been provided that incentive awards could be made for outstanding performance of officers in the discharge of their duties and responsibilities. Under this system, cases of extraordinary originality, imagination or brilliance, or rare devotion to duty deserving recognition in a special way and suggestions for reduction of expenditure without affecting efficiency can all be considered for incentive awards. Government, therefore, consider that the system of awarding good service entries and incentive awards are eminently suited for recognising specific or individual cases of meritorious service/work on the part of Government servants; the grant of advance increment being restricted to cases of sustained merit and continuous record of good work. In other words, good service entries, incentive awards and advance increments will be in an ascending order in the matter of recognition of meritorious services of Government servants.

3. Government also wish to emphasise that there should be more or less uniform standards in recognising merit for the award of advance increments. The confidential report of the officer to whom advance increment is proposed to be given should, therefore, be looked into. All proposals for the grant of advance increments in recognition of the meritorious work of Government servants shall be scrutinised by the concerned Administrative Department, the Public Department and Finance Department before placing the cases for sanction before the Council of Ministers.

[G.O.(P) 283/75/Fin.,  
dt. 1-7-1975]

This amendment shall be deemed to have come into force with effect from 22<sup>nd</sup> February 1974.

4. The above procedure will not apply to the grant of advance increments on notional basis for purposes of fixation of pay due to considerations other than of meritorious services of Government servants.

[Circular No. 8/64/Fin.,  
dt. 23-1-1964]

#### **Government Decision No. 2**

Incentive awards in the nature of cash awards for meritorious services shall not be given to Gazetted Officers.

[G.O.(P) 283/75/Fin.,  
dt. 1-7-1975]

The above amendment shall be deemed to have come into force with effect from 22<sup>nd</sup> February 1974.

#### **Government Decision No . 3**

Advance increments for meritorious service may be granted to both Gazetted and non-Gazetted Officers.

[G.O.(P) 33/76/Fin.,  
dt. 23-1-1976]

#### **Government Decision No. 4**

Good service entries, incentive awards and advance increments shall not be granted to officers deputed for training courses.

[G.O. (P) 17/87/Fin.,  
dt. 6-1-1987]

35. The authority which orders the transfer of an officer as a penalty from a higher to a lower grade or post may allow him, to draw any pay, not exceeding the maximum of the lower grade or post which it may think proper :

Provided that the pay allowed under this rule shall not exceed the pay which he would have drawn under Rule 28 read with clause (b) or clause (c) as the case may be, of Rule 33.

[G.O.(P) 146/77/Fin.,  
dt. 16-5-1977]

36. If an officer is, on account of misconduct or inefficiency, reduced to a lower grade or post or to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether on restoration, it shall operate to postpone future increments, and, if so, to what extent.

**Ruling**

1. Every order passed by a competent authority imposing on a Government servant the penalty of reduction to a lower stage in a time-scale should indicate :-

- (i) The date from which it will take effect and the period (in terms of years and months) for which the penalty shall be operative.
- (ii) The stage in the time-scale (in terms of rupees) to which the Government servant is reduced in the following form :

“The ..... has decided that Sri ..... should be reduced to a pay of Rs..... for a period of ..... with effect from.....” and

- (iii) The extent (in terms of years and months), if any, to which the period referred to at (i) above should operate to postpone future increments.

It should be noted that reduction to a lower stage in a time-scale is not permissible under the rules either for an unspecified period or as a permanent measure. Also when a Government servant is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction. The period to be specified under (iii) should in no case exceed the period specified under (i).

2. The question as to what should be the pay of a Government servant on the expiry of the period of reduction should be decided as follows :-

- (i) If the order of reduction lays down that the period of reduction shall not operate to postpone future increments, the Government servant should be allowed the pay which he would have drawn in the normal course but for the reduction. If, however, the pay drawn by him immediately before reduction was below the efficiency bar he should not be allowed to cross the bar except in accordance with the provision of Rule 32, Part I, Kerala Service Rules.

- (ii) If the orders specifies that the period of reduction was to operate to postpone future increments for any specified period, the pay of the Government servant shall be fixed in accordance with (i) above, but after treating the period for which the increments were to be postponed as not counting for increments.

[G.O. (P) 659/64/Fin.,  
dt. 14 -9-1964]

&

[G.O.(P) 262/66/Fin.,  
dt. 16-6-1966]

37. (a) Subject to the provisions of Rule 33 (c) and Rule 39, an officer holding a permanent or officiating post, if appointed to officiate on a higher time-scale of pay, will draw as initial pay the stage next above his pay in the lower time-scale irrespective of whether the pay in the lower time-scale is a stage in the higher timescale or not. A refixation will be allowed whenever there is change of pay in

the lower timescale, i.e., when his pay therein becomes equal to or greater than the pay which he draws in the higher time-scale.



- (b) In the case of officiating appointments other than those contemplated in the above rule, the officer's officiating pay in the new appointment shall be fixed at his officiating pay in the previous appointment if it is a stage in the new scale, or at the next lower stage, if it is not a stage in the new scale, the difference being treated as personal pay to be absorbed in future increases.

This will not apply to cases of reversions:

Provided that in cases covered by sub-rules (a) and (b) other than cases of re-employment after resignation, removal or dismissal from public service, if he has previously either held substantively or officiated in (i) the same post, or (ii) permanent or temporary post on the same time-scale, or (iii) a permanent post on an identical time-scale or a temporary post (including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government ) on an identical time-scale, then the initial pay shall not, except in cases of reversion to the parent cadre governed by item (iii) above, be less than the pay which he drew on the last such occasion and he shall count the period during which he drew that pay on such last and any previous occasions for increment in the stage of the time-scale equivalent to that pay. The service rendered in a post referred to in item (iii) shall, on reversion to the parent cadre, count towards initial fixation of pay to the extent and subject to the conditions indicated below:

- (a) the officer should have been approved for appointment to the particular grade/post in which the previous service is to be counted;
- (b) all his seniors, except those regarded as unfit for such appointment, were serving in posts carrying the scale of pay in which the benefit is to be allowed or in higher posts, whether in the department itself or elsewhere, and atleast one junior was holding a post in the department carrying the scale of pay in which the benefit is to be allowed ; and
- (c) the service will count from the date his junior is promoted and the benefit will be limited to the period the officer would have held the post in his parent cadre had he not been appointed to the ex-cadre post.

#### **Ruling No. 1**

When a person in a post (whether within the cadre of his service or not) is for any reason prevented from officiating in his turn in a post on a higher scale or grade borne on the cadre of the service to which he belongs, he may be authorised by special order of the appropriate authority proforma officiating promotion into such scale or grade and thereupon be granted the pay of that scale or grade if that be more advantageous to him on such occasion on which the person immediately junior to him in the cadre of his service (or if that person had been passed over for reasons of inefficiency or unsuitability or because he is on leave or serving outside the ordinary line or forgoes officiating promotion of his own volition to that scale or grade, then the person next junior to him not so passed over) draws officiating salary in that scale or grade. But in case, where the person immediately junior to him happens to assume charge of the post on a later date than that of another junior, the senior who is outside the ordinary line shall be eligible for the benefit of proforma officiating promotion with effect from such date as the other junior assumes charge of the post:

[G.O.(P) 417/78/Fin.,  
dt. 12-4-1978]

Provided that all persons senior to the persons to whom the benefit under the substantive part of this rule is to be allowed

are also drawing, unless they have been passed over for one or other of the reasons aforesaid, officiating salary in the said or some higher scale within the cadre :

Provided further that not more than one person (either the senior most fit person in a series of adjacent persons outside the ordinary line, or if such a person either forgoes the benefit on his own volition or does not require benefits by virtue of his holding a post outside the ordinary line which secures him at least equivalent benefits in respect of salary and pension then the next below the series ) may be authorised to draw the salary of the higher scale or grade in respect of any one officiating vacancy within the cadre filled by his junior under this rule.

Note 1.- A fortuitous officiating promotion given to a person who is junior to one outside the regular line does not in itself give rise to a claim under the 'Next Below Rule'.

Note 2.- The provisions in item (iii) of the proviso to the above rule in respect of protection of pay and period of increment shall be applicable to Government Servants on their appointment directly or on transfer from a post carrying identical time-scale of pay without fulfilment of the conditions indicated thereunder subject to the condition that this benefit will not be admissible to an individual who enters Government service for the first time from a post in a body incorporated or not which is wholly or substantially owned or controlled by Government.

[G.O.(P) 393/63/Fin.,  
dt. 2-7-1963]

## Ruling No. 2

1. *Scope of the term "outside the ordinary line".*-The expression "outside the ordinary line" occurring in Ruling No.1 is not intended to be rigidly interpreted as necessary involving a post either "outside the cadre" or "outside the ordinary time-scale". For instance there are cases of officers deputed for post-graduate, etc., training and paid training allowances on the basis of the pay and allowances they would have drawn had they continued in the Department. Training posts are also created in the Department to accommodate them during the period of training. If an officer so deputed gets a promotion in the Department it cannot be strictly stated that the officer is outside the ordinary line, as a training post has already been created to accommodate him within the cadre.
2. *Seniority for purpose of the Next Below Rule.*- If Government have approved in any Department a list of officers in the order of merit for promotion to administrative rank or a selection grade, then that order will prevail as the order of seniority for the purpose of the Next Below Rule, over the order of seniority of the officers in the ordinary gradation list of their cadre.
3. *Promotions effected prior to the date of the Next Below Rule.*- In G.O.(P) 393/63/Fin., dated 2<sup>nd</sup> July 1963 it has been ordered that the Next Below Rule would not apply to cases of promotions already effected. It has been laid down in the second proviso to the rule that not more than one person may be authorised to draw the salary of the higher scale or grade in respect of any one officiating vacancy within the cadre filled by his junior. A doubt may arise as to the application of this proviso in respect of promotions effected before the date of the rule. This is made clear by the following illustration. Suppose eight persons had been given the benefit of promotion before 2<sup>nd</sup> July 1963 outside the ordinary line against only 3 promotions within the ordinary line. In this case, the question of giving further promotion to the persons outside the ordinary line will arise only after five more persons are given promotion

[G.O.(P) 610/64/Fin.,  
dt. 27-8-1964]

within the ordinary line so that all the eight persons outside are sustained. But those 5 persons who were given promotion outside the ordinary line before 2<sup>nd</sup> July 1963 will continue to get the benefit even after 2<sup>nd</sup> July 1963 notwithstanding the second proviso to the ruling.

### **Ruling No. 3**

In the case of a Government servant officiating in a post and whose pay had been re-fixed under this rule, if he is confirmed in that post with effect from a retrospective date, the re-fixation of pay done after the date of confirmation will have to be revised. The over payments consequent on such revision will first be set off against arrears, if any, that might become payable to the Government Servant for a portion of the period from the date of confirmation to the date of issue of orders of confirmation. The balance of overpayments that cannot be set off against the arrears, if any, shall be waived.

[G.O.(P) 24/65/Fin.,  
dt. 13-1-1965]

This Ruling shall be deemed to have come into force with effect from 1<sup>st</sup> November 1959.

### **Ruling No. 4**

The refixation of pay in the higher officiating post on the date of change of pay in the lower time-scale contemplated in this rule cannot be allowed during the period of bar on increment with or without cumulative effect. But, in the cases of bar on increment without cumulative effect, there is no objection to give the refixation on a notional basis and to give the monetary benefit after the expiry of the period of bar. Increments accruing in the lower substantive/officiating post from time to time cannot also be allowed during the period of bar.

[G.O.(P) 650/72/Fin.,  
dt. 12-12-1972]

### **Ruling No. 5**

Increments barred with or without cumulative effect in the lower substantive/officiating post shall not be reckoned for fixation/refixation of pay in the higher timescale. But in the case of bar on increment without cumulative effect there is no objection to grant the barred increments notionally for fixation/refixation of pay and to give the monetary benefit after the expiry of the period of bar.

[G.O.(P) 150/77/Fin.,  
dt. 17-5-1977]

### **Ruling No. 6**

A revision of pay as contemplated in Ruling No. 3 shall not be necessary in the case of retrospective confirmation ordered after the date of retirement of an officer.

[G.O.(P) 79/75/Fin.,  
dt. 3-3-1975]

The ruling shall be deemed to have come into force with effect from 1<sup>st</sup> November 1959.

### **Government Decision No. 1**

The rules governing fixation of pay on transfer from one appointment to another contained in the service regulations [as modified by G.O. (P) 95/58/Fin., dated 16<sup>th</sup> April, 1958 and G.O. (P) 379/59/Fin., dated 22<sup>nd</sup> July 1959] are applicable to all cases of transfers irrespective of whether the transfer is on the basis of the advice of the Public Service Commission or not. The initial pay/salary of an officer, who while in Government service but not in a provisional appointment is recruited by the Public Service Commission for appointment to a post in the same department or another department will accordingly be fixed applying the above rules. No special sanction is necessary in such cases.

[G.O.(P) 89/69/Fin.,  
dt. 20-2-1960]

**Government Decision No. 2**

The above order will take effect from 1<sup>st</sup> November 1959 the date on which Kerala Service Rules took effect.

[G.O.(P) 536/60/Fin.,  
dt.9 -11-1960]

**Government Decision No. 3**

In the case of re-fixation of pay in the higher officiating appointment in respect of purely officiating hands without any substantive appointment under Government a certificate should be recorded in the fixation statement/bill that the government servant concerned would have continued in the lower officiating appointment had he not been promoted to the higher officiating appointment .

[Circular  
R A1/53436/60/Fin.  
dt.17-10-1960]

**Government Decision No. 4**

An officer officiating in a post, when appointed to a higher post on the advice of the Public Service Commission or otherwise is eligible for his initial pay being fixed under this rule and is also entitled to the benefit of refixation contemplated in the last sentence of the sub-rule (a).

[G.O.(P) 475/90/Fin.,  
dt. 25-9-1990]

This order will be deemed to have come into force with effect from 31<sup>st</sup> October 1986.

**Government Decision No. 5**

The following principles will be followed for fixation of pay when the scale of pay of a post held on a provisional basis is revised :

- (i) If the pay drawn in the previous scale is less than the minimum of the revised scale, then the pay in the revised scale may be fixed at the minimum.
  - (ii) If the pay drawn in the previous scale is a stage in the revised scale, the pay in the revised scale may be fixed at that stage.
  - (iii) If the pay drawn in the previous scale is not a stage, then the pay in the revised scale may be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increase in pay.
2. The above principles will also be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post provisionally, except in cases of reversions.
  3. The pay of an officer holding a post on a provisional basis when appointed provisionally to another post on identical time-scale will be fixed in the new appointment at a stage equal to the pay he was drawing in the previous appointment but the period during which he drew pay at that rate in the previous appointment will not count for increment.
  4. Past cases settled otherwise, will not be reopened.

[G.O.(P) 558/75/Fin.,  
dt. 17 -12-1975]

[G.O.(P) 297/66/Fin.,  
dt. 5-7-1966]

**Government Decision No. 6**

The pay drawn by an officer in an ex-cadre post can be counted for purpose of initial fixation of pay on promotion in the parent department. But the benefit of refixation of pay contemplated in the rule is not admissible to him as he loses connection with the ex-cadre post on appointment to the parent department.

[G.O.(P) 580/70/Fin.,  
dt. 13-8-1970]

The benefit of pay drawn in an ex-cadre post for purpose of initial fixation will not be admissible, if an officer is reverted to the parent department, to a post carrying a scale of pay lower than that of the ex-cadre post.

[G.O.(P) 223/77/Fin.,  
dt. 14-7-1977]

#### **Government Decision No. 7**

The re-fixation of pay contemplated in the last sentence of sub-rule (a) is admissible even in cases where the change of pay in the lower time-scale is due to fixation of pay on account of revision of the scale of pay. If both the lower and higher time-scales are revised, the benefit will be restricted to cases of options exercised in respect of both the posts simultaneously.

#### **Government Decision No. 8**

The principles enunciated in paragraph (1) of the Government Decision No. 5 above will be adopted for regulating the pay of an officer holding a post on a provisional basis when appointed to a higher or a lower post on a regular basis also, except in cases of reversions.

[G.O.(P) 811/71/Fin.,  
dt. 21-12-1971]

Effective from 5<sup>th</sup> July 1966.

#### **Government Decision No. 9**

- (i) The pay of an officer holding a post on a provisional basis and appointed on regular basis to another post on identical time-scale will be fixed at a stage equal to the pay he was drawing in the provisional appointment. The period during which the officer has drawn pay at that rate on the provisional appointment will not count for increment.
- (ii) The pay drawn by an officer in a post held by him on a provisional basis on initial appointment to Government service through the employment exchange or otherwise will not be reckoned for regulating his pay on appointment to another post carrying lower timescale on a regular basis. Cases of persons appointed to a post on a provisional basis while holding regular posts and subsequently appointed to another post carrying a lower time-scale on a regular basis except cases of reversions, and cases of provisional hands appointed to higher posts on a regular basis will continue to be regulated by the Government Decision No. 8.

Government Decision No. 8 will stand modified to the above extent. This decision will take effect from 5<sup>th</sup> July 1966. Cases already settled otherwise will not be reopened to the disadvantage of the persons concerned.

[G.O.(P) 137/73/Fin.,  
dt. 9-5-1973]

#### **Government Decision No. 10**

The pay of a provisional appointee/promotee when re-appointed/re-promoted provisionally to the same post shall be fixed at the same stage at which he was drawing pay on the last such occasion and the period during which he drew pay at that stage on such last and any previous occasions will count for increment.

[G.O.(P) 50/77/Fin.,  
dt. 4-2-1977]

#### **Government Decision No. 11**

The pay of an officer holding a post on a regular basis and appointed on a provisional basis to another post on identical time-scale will be fixed at a stage equal to the pay he was drawing in the regular appointment. The period during which the officer has drawn pay at that rate on the regular appointment will count for increment in the provisional appointment.

[G.O.(P) 218/80/Fin.,  
dt. 24-3-1980]

The above decision shall be deemed to have come into

force with effect from 3<sup>rd</sup> May 1963.

**37 A.**

Notwithstanding the provisions contained in these rules, the pay of a Government servant whose promotion or appointment to a post is found to be or to have been erroneous, shall be regulated in accordance with any general or special orders issued by the Government in this behalf.

**Government Decision**

The following provisions shall govern the pay and increments of a Government servant whose promotion or appointment in a substantive or officiating capacity to a post is later found to be erroneous on the basis of facts :-

1. The orders of promotion or appointment of a Government servant should be cancelled as soon as it is brought to the notice of the appointing authority that such a promotion or appointment has resulted from a factual error and the Government servant concerned should, immediately on such cancellation, be brought to the position which he would have held but for the incorrect order of promotion or appointment.
2. Service rendered by the Government servant concerned in the post he was wrongly promoted/appointed as a result of the error should not be reckoned for the purpose of increments or for any other purpose in that grade/post to which he would not normally be entitled but for the erroneous promotion/appointment.
3. Any consequential promotions/appointments of other Government servants made on the basis of the incorrect promotion/appointment of a particular Government servant will also be regarded as erroneous and such cases also will be regulated on the lines indicated in the preceding paragraph.
4. Except when the appointing authority is the Government, the question whether the promotion/appointment of a particular Government servant to a post was erroneous or not should be decided by an authority next higher than the appointing authority in accordance with the established principles governing promotions/appointments. In cases of doubt Government may be consulted.
5. Cases of erroneous promotion/appointment should be viewed with serious concern and suitable disciplinary action taken against the officers and staff responsible for such erroneous promotion/appointment under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.
6. In the case of a Government servant who has been erroneously promoted/ appointed to a post in a substantive capacity, the following procedure may be followed for deconfirming the Government servant in that post and only thereafter, the Government servant concerned should be brought down to the position which he would have held but for the erroneous promotion/appointment.
  - (a) An order of confirmation which is clearly contrary to the relevant statutory rules may be cancelled by the competent authority straight away. Here the order of confirmation was *ab initio* void as it was ultra vires of the relevant rules and cancellation of the order would be justified on the ground that there was no valid subsisting order at all and the act of cancellation is a mere formality. The effect of cancellation

would be to put the employee concerned in a position of never having been confirmed.

- (b) An order of confirmation which is contrary to executive orders or administrative instructions may be cancelled by the competent authority, if such erroneous order of confirmation has operated to the prejudice of some identifiable person who would otherwise have been confirmed, if the orders had been correctly applied.

Here the order of cancellation would be just and equitable as the confirmation of the employee concerned operates unfairly to the detriment of another employee who would have otherwise been confirmed. Such cancellation will not have the effect of doing any injustice to the employee whose confirmation is cancelled, since he was under the executive orders or administrative instructions in force, not entitled to confirmation.

It would, however, be in consonance with the principles of natural justice that a notice to show cause why the orders of confirmation should not be cancelled be given to the affected party in both the types of cases specified above.

7. The orders re-fixing the pay in all the above cases should be issued expressly under Rule 37A, Part I, Kerala Service Rules.

[Memorandum No.  
87/63, dt. 30-11-1963]

**37 B.**

- (a) Probationer in any service shall draw initial pay as follows :-
- (i) while undergoing a course of instruction or training the pay, if any, specified in the 'Special Rules' in that behalf or by special orders of Government, and
  - (ii) after completion of the course of instruction or training and when there is no course of instruction or training, the minimum of the time-scale of the probation post.
- (b) (i) A probationer whose, period of probation is two years and whose increment is annual shall be entitled to draw the first increment in the time-scale of the probation post after putting in the service required to earn an increment. The second increment shall be drawn only with effect from the date from which he is declared to have completed his probation. Delay in completing probation will not however, affect his future increments and these will accrue on the normal incremental dates.
- (ii) In the case of a probationer whose period of probation is one year and whose increment is annual, the first increment in the scale of pay of the probation post shall be drawn only with effect from the date on which he is declared to have completed his probation. Delay in completing probation will not, however, affect his future increments and these will accrue on the normal incremental dates.

*Note* - If any period of the service of a probationer does not count for probation, he shall complete the period of probation of one year or two year's duty, as the case may be, by being on duty for an equal period from the date of expiry of one year or two years as the case may be after the commencement of the probation. In cases where the above period is expressed in terms of months and days, then such period shall be calculated as provided in Rule 12 (21) of Part I, Kerala Service Rules. In cases where the absence is expressed in days, the date of completion of probation shall be extended by the number of days of such absence.

[G.O.(P) 163/83 Fin.,  
dt. 4 - 4 - 1983]

Effective from 4th April 1983.

- (c) Subject to the provisions of Rule 39 and notwithstanding the provisions of sub-rules (a) and (b) of this rule, an officer shall be entitled to draw in the probation post the pay for which he would be eligible from time to time under the provisions of Rule 28A, Rule 33 (c) or Rule 37, as the case may be.

[G.O.(P) 153/64/Fin.,  
dt. 8-4-1964]

38. When an officer officiates in a post, the pay of which has been fixed at a rate personal to another officer the Government may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding that lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.
39. The Government may in individual cases fix by special order the pay of an officiating officer at an amount less than that admissible under these rules.
40. The Government may issue general or special orders allowing acting promotions to be made in place of officers who are treated as on duty under Rule 12 (7) (iii).

*Note.* - Acting arrangements may be allowed by competent authority if the period of training of an officer is one month or more. If it is less than a month, no arrangements can be made except under the special sanction of Government.

#### Government Decision

In the case of deputation of a Government Servant for training or a course of instruction which is treated as duty under Rule 12 (7) (iii), Part I, Kerala Service Rules it is not necessary to create a new post in order to accommodate him during such training or course of instruction, since the very order sanctioning the deputation for training would be a sanction in this behalf.

[G.O.(P) 632/64/Fin.,  
dt. 2-9-1964]

Effective from 2<sup>nd</sup> September 1964.

41. *Personal Pay.*- Except when otherwise ordered by Government personal pay shall be reduced by any amount by which the recipient's pay may be increased and shall cease as soon as his pay is increased by an amount equal to his personal pay.
42. *Pay of Temporary Posts.*- When a temporary post is created which may have to be filled by a person not already in Government Service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.
43. When a temporary post is created which will probably be filled by a person who is already in the service of Government its pay should be fixed with due regard to -
- (a) the character and responsibility of the work to be performed, and
  - (b) the existing pay of officers of a status sufficient to warrant their selection for the post.

*Note.* - Temporary posts by this criterion should be considered as temporary additions to the cadre of a service should be created in the timescale of the service ordinarily without extra remuneration. Incumbents of these posts will therefore draw their ordinary time-scale of pay. If the posts involve decided increases in work and responsibility in comparison with the duties of the parent cadre generally it may be necessary to sanction a special pay in addition.



**CHAPTER V**  
**ADDITIONS TO PAY**

44. *Compensatory Allowances.*- Subject to the general rule that the amount of compensatory allowances should be so regulated that the allowance is not on the whole a source of profit to the recipient the Government may grant such allowances to any officer under its control and may make rules prescribing their amounts and the conditions under which they may be drawn. (For rules made under the above Rule See Appendix IV).

- I. Unless otherwise ordered by Government, a compensatory allowance shall ordinarily be drawn only by a Government servant actually on duty, but the authority competent to sanction leave may in writing permit it to be drawn by the officer on earned leave, if the whole or a considerable part of the expense to meet which the allowance was granted continues to be incurred by him during the leave:

Provided the Government Servant certifies that he continued for the period for which the allowance is claimed, to incur the whole or a considerable part of the expense for which the allowance was granted:

Provided further that the officer is due to return after leave to the same post or station, as the case may be from which he proceeded on leave or to a similar post or station for which the allowance at the same or a higher rate is admissible:

Provided further when the Government servant on return from leave is posted to a post other than the one from which he went on leave and both the posts carry similar allowances but at different rates, the Government servant shall during leave draw the lesser of the two rates.

- I. (A) Subject to the second and third provisions to clause I above, compensatory allowance granted under class VI (c) Appendix IV may be drawn during periods of earned leave:

[G.O.(P)302/66/Fin.,  
dt. 7-7-1966]

This clause shall be deemed to have come into force with effect from 12<sup>th</sup> January 1965.

- II. A compensatory allowance granted under class IV, Appendix IV may be drawn during temporary transfer, if
- (i) the authority sanctioning the transfer certifies that the Government servant is likely, on the expiry of the temporary duty, to return to the station from which he is transferred ;
  - (ii) the Government servant draws no allowance of the same kind in the post to which he is transferred;
- and
- (iii) the Government servant certifies that he kept his family, for the period for which the allowance is claimed, at the station from which he proceeded on transfer.

- III. A compensatory allowance granted under class VI, Appendix IV may be drawn during temporary transfer, if
- (i) the authority sanctioning the transfer, certifies that the Government servant is likely on the expiry of the transfer, to return to the post to which the allowance is attached or to another post carrying a similar allowance; and

- (ii) the Government servant certifies that he continued for the period for which the allowance is claimed to incur the whole or a considerable part of the expenditure for which the allowance was granted.

*Note.* -The certificate under clause (ii) above will be dispensed with when it is inapplicable.

- IV. If a Government servant in his old post drew compensatory allowance granted under Class IV, or Class VI of Appendix IV (but not in an individual capacity) and is transferred to another post, he may be allowed the compensatory allowance during joining time as applicable to the old station from which he was transferred. He may also be allowed house rent allowance during transit as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or Permanent Travelling Allowance.

[G.O.(P) 1010/87/Fin.,  
dt. 27-11-1987]

**Government Decision No. 1**

Notwithstanding anything contained in the second and third provisos to Rule 44 I, Part I Kerala Service Rules, House Rent Allowance and City Compensatory Allowance admissible under orders issued from time to time will be payable during periods of leave with allowances including leave preparatory to retirement, if the total periods of such leave at a time does not exceed four months or if the actual duration of the leave exceed four month, for the first four months of such leave.

[G.O. 512/92/Fin.,  
dt. 26-8-1992]

**Government Decision No.2**

[Deleted]

[G.O.(P) 378/91/Fin.,  
dt. 1-6-1991]

45. The Government may make rules or issue orders laying down the principles governing the allotment to officers, for use by them as residences, of such buildings owned or leased by it, or such portions thereof, as the Government may make available for the purpose. Such rules or orders may lay down different principles for observance in different localities or in respect of different classes of residence, and may prescribe the circumstances in which such an officer shall be considered to be in occupation of a residence.
46. *Fees.*- The Government may permit an officer, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of services for a private person or body or for a public body including a body administering a local fund or for another Government and to receive as remuneration therefore, if the service be material a non recurring or recurring fee.
- Note.* - This rule does not apply to the acceptance of fees from private persons by medical officers in Government employ for professional attendance which is regulated by separate orders of Government.
47. No officer may undertake work for another Government, or a private or public body or a private person, or accept fee therefore, without the sanction of the Government.
- Note.* - Heads of department, while forwarding their recommendations in such cases shall unless the officer is on leave, specifically state whether the work can be undertaken by the officer concerned without detriment to his official duties and responsibilities.

**Government Decision**

In respect of examinations conducted by the Education Department, the Public Service Commission, the University etc., it is not necessary to accord individual sanction for acceptance of remuneration in every case of Government servant undertaking such work. Any officer of Government, who is called upon to undertake work in connection with the examination, conducted by the following examining bodies, will be permitted to accept such assignment and the remuneration therefore with effect from 1<sup>st</sup> November 1959:-

(G.O.(P) 193/60/Fin.,  
dt. 12-4-1960,  
G.O.(Ms) 45/61/Fin.,  
dt. 3-2-1961  
&  
G.O.(P) 386/71/Fin.,  
dt. 5-7-1971)

1. The Kerala University and other Universities.
2. The Union Public Service Commission, the Public Service Commission of the States and the Secretarial Training School, Cabinet Secretariat of the Government of India.
3. The London Chamber of Commerce.
4. The Departments of this Government.
5. The Forest Research Institute and Colleges, Dehra Dun and Coimbatore.
6. The Kerala State Co-operative Union in respect of Co-operative Subordinate Personnel Training Examination.

[G.O.(P) 296/66/Fin.,  
dt. 4-7-1966.

The item No.6 shall be deemed to have come into force with effect from 10<sup>th</sup> May 1966.

48. Unless the Government by special order otherwise direct, one-third of any non-recurring fee exceeding ₹2000 or one-third of any recurring fee exceeding ₹1250 a year, paid to an officer, shall be credited to the General Revenues.

[G.O.(P) 389/65/Fin.,  
dt. 11-10-1965]

*Note 1.-* If any fee to which this rule applies exceeds ₹2000 non-recurring or ₹1250 a year recurring one-third of the total amount payable should be credited to the General Revenues, provided that the amount retained by the officer concerned will not, merely owing to the operation of this rule, be reduced below ₹2000, if non-recurring or ₹1250 a year if recurring.

Non-recurring and recurring fees should be dealt with separately and should not be added for the purpose of crediting one-third to General Revenues under this rule. In the case of the former, the limit of ₹2000 prescribed in this rule should be applied in each individual case, and in the case of the latter the limit of ₹1250 should be applied with reference to the total recurring fees for the financial year.

†This amendment shall be deemed to have come into force with effect from 26<sup>th</sup> July 1995.

[G.O.(P) 1248/97/Fin.,  
dt. 10-12-1997]

*Note 2-*The above rule does not apply to fees received by officers from a University or other examining body in return for their services as examiners or from the revenues of another Government in return for their services to that Government\* and also to the royalties received by officers from the publishers for the sale of the books written by them even with the aid of knowledge acquired during the course of their service.

\* This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> October 1971.

49. *Honoraria.*- The Government may grant or permit an officer to receive an honorarium as remuneration for work performed which is occasional in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing exist, for a departure from this

provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of the Government and its amount has been settled in advance.

**Government Decision No. 1**

The following allowances will be classified as honoraria under this rule :

[G.O.(P) 576/63/Fin.,  
dt. 7-11-1963]

1. Overtime allowance.
2. Allowance given to Wardens and Assistant Wardens of hostels.

**Government Decision No. 2**

When State Government Officers required to attend the meetings of the Interview Board of the Kerala Public Service Commission are not eligible for Travelling Allowance under the rules, they shall be paid an honorarium equivalent to the daily allowance admissible under Rule 39, Part II, Kerala Service Rules.

[G.O.(P) 155/70/Fin.,  
dt. 7-3-1970]

Effective from 22<sup>nd</sup> January 1969.

**Government Decision No. 3**

The conditions of prior consent and the settlement of the amount in advance referred to in the last sentence of this rule will not apply to any work ordered to be done at Government level.

**Government Decision No. 4**

When members of the Boards for various examinations conducted by the Commissioner for Government Examinations required to attend to the meetings of the Boards are not entitled to Travelling Allowance and Daily Allowance under the rules, they shall be paid an honorarium equivalent to the Daily Allowance admissible under Rule 39, Part II, Kerala Service Rules.

This decision will be deemed to have come into force with effect from 17<sup>th</sup> January 1972.

- 50.** *Fees and Honoraria.*- In the case of both fees and honoraria the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in Rule 14 and shall record also the reasons which in his opinion justify the grant of the extra remuneration.
- 51.** Any officer is eligible to receive without special permission-
- (a) the premium awarded for an essay or plan in public competition;
  - (b) any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice;
  - (c) any reward payable in accordance with the provisions of any Act or Regulation or Rules framed thereunder;
  - (d) any reward sanctioned for services in connection with the administration of the customs and excise laws;
  - (e) any fees payable to an officer for the duties which he is required to perform in his official capacity under any special law or by order of Government; and
  - (f) any remuneration paid by the All India Radio for professional performances in its programmes, such as music, drama and the like.

*Note.* Sanction of the authorities mentioned below is, however, necessary for accepting remuneration for giving talks over the All India Radio by Government Officers:

<i>Name of Officers giving the talk</i>	<i>Name of authority whose permission is required</i>
Chief Secretary and Secretaries	Minister concerned
Heads of department	Secretaries concerned
Officers subordinate to Heads of Departments	Heads of Departments

- 52.** An officer whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain, a patent for an invention made by such officer save with the permission of the Government and in accordance with such conditions as the Government may impose.

## CHAPTER VI

### COMBINATION OF APPOINTMENTS

- 53. (a)** A competent authority may appoint an officer to hold substantively or to officiate in two or more independent posts at one time.
- (b)** The competent authority who appoints an officer to hold or to officiate in a second post in addition to his own, will declare whether he officiates in or holds full charge of the additional post or is appointed merely to discharge the current duties. It should also specify in each case the amount of additional pay and allowances, if any, to be granted, the amount being subject to the following limits :-
- (1) If an officer is appointed to officiate in a second post and to hold in addition full charge of his own post, he may be allowed to draw the highest pay to which he would be entitled if his appointment to one of the posts stood alone and in addition pay which should not exceed 20 percent of the minimum of the scale of pay of the other post. The highest pay referred to above may be specifically reduced by the competent authority at its discretion.
 

If compensatory allowance is attached to one of the posts, he may be permitted to draw it in full and if compensatory allowances are attached to more than one of the posts, the allowance which may be granted to him should not exceed the larger allowance.
  - (2) If the officer is appointed to hold full charge of one or more posts in addition to his own, the additional pay which may be granted to him in respect of each additional post should not exceed 20 percent of the minimum of the scale of that post. The drawal of compensatory allowances will be regulated as in the sub-para under clause (1) above.
  - (3) If the officer is appointed to discharge only the current duties of one or more posts in addition to his own, the additional pay which may be granted to him in respect of each additional post should not exceed 10 percent of the minimum of the scale of pay of that post, in addition to the pay and compensatory allowances, if any, admissible in his regular

[G.O.(P) 342/65/Fin.,  
dt. 31-8-1965]

post.

- (c) No additional pay should be granted unless the previous incumbent of the additional post held, has actually given over charge thereof under orders of competent authority and unless the period of additional charge exceeds fourteen working days in the case of full additional charge and one month in the case of discharge of current duties only. The drawal of additional pay should not normally be allowed for a period exceeding three months.
- (d) [Deleted].
- (e) Additional remuneration should not be allowed as a matter of course or granted when the extra duties to be performed are only nominal or comparatively light. Additional remuneration should not be allowed during any period of vacation unless the additional duty is actually performed during such period.

[G.O.(P) 132/87/Fin., dt.  
10-2-1987]

### **Ruling**

The term 'independent' occurring in the above rule should be interpreted as meaning separate or distinct involving independent duties and responsibilities and the post subordinate to the one held by the officer should not be taken as independent under the rule.

### **Government Decision No. 1**

At present charge allowance of the non gazetted officer for his holding additional charge of a gazetted post is being authorised by the office of the Accountant General based on the sanction of competent authorities, in the same way as pay and allowances of a gazetted officer is concerned. This practice has since been reviewed in the light of the procedure followed in some of the Audit and Account offices of other States. It has been decided that no authorisation from the office of the Accountant General is necessary in case of additional charge arrangements from 1<sup>st</sup> April 1963 onwards, as holding of additional charge of a gazetted post does not alter the status of a non gazetted officer to that of a gazetted officer.

[G.O.(P) 312/63/Fin.,  
dt. 29-5-1963]

According to the changed procedure, the additional charge allowance will be drawn and paid by the Head of Office in the same manner as his regular pay and allowances are drawn. The Drawing Officer should however satisfy himself that there is proper sanction of the competent authority for the additional charge arrangements and that the officer has actually held the additional charge of the post during the period for which the charge allowance is drawn and also that the rate of allowance sanctioned and drawn is as per rules etc. The charge allowance thus drawn may be continued to be debited to the same head of account to which the pay of the non-gazetted officer is debited.

In the case of a non gazetted officer holding additional charge of the duties of the Head of an Office, who is a gazetted officer and also a drawing and disbursing officer, the procedure adopted for the drawal of his normal pay and allowances may be followed for the drawal of charge allowance also.

### **Government Decision No. 2**

The following criteria will be followed to distinguish between 'full additional charge' and 'discharge of current duties':-

[G.O.(P) 319/72/Fin.,  
dt. 31-7-1972]

- (i) An officer appointed to hold 'full additional charge' of a post

has to perform all the administrative, financial and statutory functions and duties in respect of that post.

- (ii) An officer appointed to discharge current duties of a post need attend only to the work of a routine nature in respect of that post.

**53A.** The posts in respect of which additional charge arrangements may be ordered shall be as classified below:- [G.O.(P) 132/87/Fin., dt. 10-2-1987]

(I) *Posts not in the same office, establishment or line of promotion or cadre.*-Where the duties and responsibilities are clearly independent and are eligible for additional pay, e.g., Labour Commissioner, holding charge of the post of Registrar of Co-operative Societies and Joint Secretary to Government holding charge of post of a Head of Department.

(II) *Posts in the same office, establishment or line of promotion or cadre.*- Cases of this nature shall further be divided as follows :-

- (a) When the additional post is subordinate to the regular post, additional pay shall not be admissible e.g., Superintendent of Police holding charge of the post of Assistant Superintendent of Police or Deputy Superintendent of Police and District Collector holding the charge of the post of Revenue Divisional Officer under him.

Note. -The reason for the non-grant of additional pay in the above cases is that the superior officer is expected to supervise the work of the subordinates and the additional charge arrangements should not entitle him to extra remuneration. The work of the additional post should be redistributed among other subordinates in such a way that each one's load of work is increased to a small extent that no one need be given additional pay.

- (b) When the additional post is of equivalent and of the same rank as that of the regular post the following principles shall apply:
- (1) If additional charge arrangements are in respect of different territorial jurisdictions, the posts are definitely independent and in such cases additional pay shall be admissible, e.g., Revenue Divisional Officer of one district/division holding charge of another district/division and one Block Development Officer holding charge of another block.
  - (2) If additional charge arrangements are in respect of posts in the same office and of the same rank, additional pay shall not be admissible if the duties of the additional post are identical in nature and if the responsibilities are such as can easily be spread out among others holding the same post, e.g., if a Deputy Collector goes on leave and if the Collector has a number of Deputy Collectors working under him, he should consider whether he can distribute the responsibilities of the Deputy Collector on leave to the other Deputy Collectors so as not to increase substantially each one's load of work.
  - (3) If the additional charge arrangements are in the same office and if the responsibilities attached to the post are indivisible and cannot be distributed to more than one officer, additional pay shall be admissible. In such cases, a certificate to the effect that the responsibilities of the post held in additional charge are not divisible, should be furnished by the competent authority, e.g., Secretary to Government of one department holding charge of the post of Secretary of another Department

and Deputy Director of Animal Husbandry (Key Village) or Deputy Director of Animal Husbandry (Veterinary) or Deputy Director of Animal Husbandry (Extension) holding charge of the other post.

- (c) When the additional post is superior to the regular post and is carrying higher scale of pay additional pay shall be admissible, e.g., Deputy Secretary or Joint Secretary to Government holding charge of the post of Additional Secretary or Secretary to Government and a Superintendent of Police or Assistant Inspector General of Police holding charge of the post of Deputy Inspector General of Police.

## CHAPTER VII

### DISMISSAL, REMOVAL AND SUSPENSION

54. The pay and allowances of an officer who is dismissed or removed from service cease from the date of such dismissal or removal.

55. An officer under suspension or deemed to have been placed under suspension by an order of the appointing authority is entitled to the following payments: -

[G.O.(P) 573/78/Fin.,  
dt. 14-7-1978]

For the first year of suspension, subsistence allowance at an amount equal to \*the leave salary which the officer would have drawn had he been on leave on half pay on the date of suspension; but the benefit of any increase in pay due to increment falling due during the period of suspension will not be admissible during the period, and

\*[G.O.(P) 158/77/Fin.,  
dt. 24-5-1977]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

[G.O.(P) 547/78/Fin., dt.  
26-6-1978]

For any period subsequent thereto at three-quarters of such amount.

In addition, he may be granted to such extent and subject to such conditions as the authority ordering his suspension may direct-

- (i) Dearness allowance and Dearness pay not exceeding the amount admissible as such had he been on leave on leave salary equal to the rate of subsistence allowance payable from time to time.
- (ii) Any other compensatory allowance of which he was in receipt on the date of suspension.

*Note 1.* - If an officer under suspension is dismissed with retrospective effect no recovery is necessary of the subsistence grant already paid to him.

*Note 2.*-(a) Deductions shall be made from the subsistence allowance on account of the following :-

- (i) Income Tax and Super Tax (provided the employees annual income calculated with reference to subsistence allowance is taxable).
- (ii) House rent and allied charges i.e., electricity, water, furniture etc.
- (iii) Repayment of loans and advances, taken from Government at such rates as the Head of the Department deems appropriate.
- (iv) Amounts due to Co-operative Stores and Co-operative Credit Societies.

[G.O.(P)141/72/Fin.,  
dt. 12-5-1972]



- (v) Subscription to the Family Benefit Scheme, if the officer is a subscriber to the scheme. [G.O.(P) 83/80/Fin., dt. 23-1-1980]
- (b) Deduction on account of the following shall be optional: -
- (i) Premia due on Postal Life Insurance Policies and State Life Insurance Policies -Official Branch.
- (ii) Refund of advances taken from General Provident Fund.
- The written consent of the officer should be obtained in the case of these optional deductions.
- (c) Deductions of the following nature should not be made from the subsistence allowance:-
- (i) Subscription to a General Provident Fund.
- (ii) Amount due to Court attachments.
- (iii) Recovery of loss to Government for which an officer is responsible.
- (d) As regards recovery of overpayments, there is no bar to effect the same from the subsistence allowance, but such recoveries of overpayments should not ordinarily be made at a rate greater than one-third of the amount of the subsistence allowance i.e., exclusive of dearness allowance if any, admissible to him.

*Note 3.* - No payment under the rules shall be made unless the officer furnishes a certificate that he is not engaged in any other employment, business, profession or vocation. In the case of non-gazetted officers, the certificate signed by the officer should be countersigned by a gazetted officer, in token of acceptance. It should then be attached to the bill in which subsistence allowance for the period covered by the certificate is claimed. In the case of gazetted officers payment of subsistence allowance will be authorised by the Accountant General on the basis of the sanction issued by the competent authority and the Treasury Officer will pay the allowance only if a similar countersigned certificate is attached to the bill claiming it.

*Note 3A.* -Compensatory allowance under clause (ii) above may be granted provided the officer certifies that for the period for which the allowance is claimed, he continued to incur the whole or a considerable part of the expense to meet which the allowance was granted. The maximum period for which the compensatory allowance may be paid shall be limited to 120 days. [G.O.(P) 320/68/Fin., dt. 26-6-1968]

*Note 4.* - In the case of an officer under suspension before 27<sup>th</sup> July 1962 recovery of House Construction Advance shall be limited to 1/3 of the subsistence allowance or the usual rate of monthly instalment whichever is lower. No penal interest shall be levied on the defaulted portion of the instalment.

- 55A.** [Deleted] [G.O.(P) 549/88/Fin., dt. 31-8-1988]
- This amendment shall be deemed to have come into force with effect from 3<sup>rd</sup> February 1988.
- 55B.** (i) Notwithstanding any thing contained in Rule 55, when an officer is placed under suspension while on leave without allowances, he shall not be eligible for any subsistence allowance during the period of the leave. On the expiry of the leave if he continues to be on suspension, he shall be entitled to the subsistence allowance. If he is reinstated before the expiry of the leave, he shall continue to be on leave till its expiry, unless the officer otherwise desires. [G.O.(P) 907/97/Fin., dt. 24-10-1997]
- (ii) In the case of an Officer on leave with allowances, the orders of

suspension shall have the effect of cancelling the leave for the period of suspension. He shall be entitled to subsistence allowance.

56. (1) When an officer who has been dismissed, removed or compulsorily retired including an officer who has been compulsorily retired under Rule 60A, is reinstated as a result of appeal or review or would have been so reinstated, but for his retirement on superannuation while under suspension or not, the authority competent to order reinstatement shall consider and make a specific order-
- (a) regarding the pay and allowances to be paid to the officer for the period of his absence from duty including the period of suspension preceding his dismissal, removal, or compulsory retirement, as the case may be,
  - (b) whether or not the said period shall be treated as a period spent on duty, and
  - (c) in the case of an officer who was compulsorily retired under Rule 60A and subsequently reinstated, for the recovery of the relevant benefits, if any, already paid to him.
- (2) Where the authority competent to order reinstatement is of opinion that the officer who had been dismissed, removed or compulsorily retired, has been fully exonerated, the officer shall, subject to the provisions of sub-rule (6) be paid the full pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement as the case may be:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the officer had been delayed for reasons directly attributable to the officer, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the officer shall subject to the provisions of sub-rule (7), be paid for the period of such delay, only such amount (not being the whole) of such pay and allowances as it may determine.

- (3) In a case falling under sub-rule (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement as the case may be, shall be treated as a period spent on duty for all purposes.
- (4) In cases other than those covered by sub-rule (2) including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution and no further enquiry is proposed to be held, the officer shall, subject to the provisions of sub-rules (6) and (7) be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement as the case may be, as the competent authority may determine, after giving notice to the officer of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice:

Provided that except in the case of such officers as are governed by the provisions of the Payment of Wages Act, 1936 (Central Act 4 of 1936), any payment under this sub-rule shall be

restricted to a period of three years immediately preceding reinstatement or retirement on superannuation, as the case may be.

- (5) In a case falling under sub-rule (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the officer so desires such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the officer.

*Note1.* - The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of -

- (a) Leave without allowances in excess of three months in the case of a temporary officer; and  
 (b) Leave of any kind in excess of five years in the case of a permanent officer.

*Note2.* - The leave of any kind due and admissible referred to in the proviso shall include commuted leave also.

[G.O.(P) 839/92/Fin.,  
dt. 4-11-1992]

- (6) The payment of allowances under sub-rule (2) or sub-rule (4) shall be subject to all other conditions under which such allowances are admissible.
- (7) The amount (not being the whole) of such pay and allowances determined under the provision to sub-rule (2) or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under Rule 55.
- (8) Any payment made under this rule to an officer on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the officer.

- 56A.** (1) Where the dismissal, removal or compulsory retirement of an officer is set aside by a Court of Law and such officer is reinstated without holding any further inquiry the period of absence from duty shall be regularised and the officer shall be paid pay and allowances in accordance with the provisions of sub-rule (2) or sub-rule (3) subject to the directions, if any, of the court.
- (2) Where the dismissal, removal or compulsory retirement of an officer is set aside by the court solely on the ground of non-compliance with the requirements of clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the pay and allowances to be paid to the officer for the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be determined by the competent authority and the said period shall be regularised, in accordance with the provisions contained in sub-rule (4), (5) and (7) of Rule 56.
- (3) If the dismissal, removal or compulsory retirement of an officer is

set aside by the court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement shall be treated as duty for all purposes and he shall be paid the full pay and allowances for the period, in which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

- (4) The payment of allowances under sub-rule (2) or sub-rule (3) shall be subject to all other conditions under which such allowances are admissible.
- (5) Any payment made under this rule to an officer on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than those earned during the employment elsewhere, nothing shall be paid to the officer.

- 56B.**
- (1) When an officer who has been suspended is reinstated or would have been so reinstated but for his retirement on superannuation while under suspension, or has retired from service on superannuation before the conclusion of the disciplinary proceedings against him the authority competent to order reinstatement shall consider and make a specific order.
    - (a) regarding the pay and allowances to be paid to the officer for the period of suspension ending with reinstatement or the date of his retirement on superannuation, as the case may be; and
    - (b) whether or not the said period shall be treated as a period spent on duty.
  - (2) Notwithstanding anything contained in Rule 55, where an officer under suspension dies before the disciplinary, or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid the full pay and allowances for that period to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid.
  - (3) Where the authority competent to order reinstatement is of the opinion that the suspension was wholly unjustified, the officer shall, subject to the provisions of sub-rule (8) be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the officer had been delayed owing to reasons directly attributable to the officer, it may after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the officer shall be paid for the period of such delay only such amount (not being the whole) of such pay and allowances as it may determine.

- (4) In a case falling under sub-rule (3), the period of suspension shall be treated as a period spent on duty for all purposes.
- (5) In cases other than those falling under sub-rules (2) and (3), the officer shall be subject to the provisions of sub-rules (8) and (9) be

paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the officer of the quantum proposed and after considering the representation, if any, submitted by him in connection within such period as may be specified in the notice.

- (6) Where suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-rule (1) before the conclusion of the proceedings against the officer shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (1) who shall make an order according to the provisions of sub-rule (3) or sub-rule (5), as the case may be.
- (7) In a case falling under sub-rule (5), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that if the officer so desires, such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the officer.

*Note1.* - The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of-

- (a) leave without allowances in excess of three months in the case of a temporary officer, and
- (b) leave of any kind in excess of five years in the case of a permanent officer.

*Note2.* - The leave of any kind due and admissible referred to in the proviso shall include commuted leave also.

[G.O.(P) 839/92/Fin., dt.  
4-11-1992]

- (8) The payment of allowances under sub-rule (2), sub-rule (3) or sub-rule (5) shall be subject to all other conditions under which such allowances are admissible.
- (9) The amount (not being the whole) of such pay and allowances determined under the proviso to sub-rule (3) or under sub-rule (5) shall not be less than the subsistence allowance and other allowances admissible under Rule 55.

[G.O.(P) 573/78/Fin., dt.  
14-7-1978]

*Note1.* - The amount of subsistence allowance already drawn should be adjusted against the pay and allowances or proportion of them granted under Rules 56, 56A or 56B or leave salary which may be granted to the officer.

*Note2.* - The orders of revocation of suspension or of reinstatement after dismissal, removal or compulsory retirement from service take effect from the date of the order and the intervening period, i.e., the period from the date of order to the date of joining duty shall be regularised by granting joining time and/or leave due and admissible to the officer concerned. However, cases where there is an abnormal timelag between the date of such order and the date on which the officer concerned reports for duty shall be decided by Government, on merits.

*Note 3.* - When a period of suspension is ordered to be converted into leave, the amount of subsistence allowance and compensatory allowances already received in excess of the leave salary and allowances admissible on such conversion, shall be refunded.

[G.O.(P) 442/81/Fin.,  
dt.10-7-1981]

Effective from 10<sup>th</sup> July 1981.

*Note 3A.* - If the officer is a subscriber to the Family Benefit Scheme who has received the payment due under the scheme and desires to avail himself of the benefit of the scheme, he shall refund the entire amount received. In addition, he shall also make the contribution for the period of service

[G.O.(P) 83/80/Fin.,  
dt.23-1-1980]

from the date of dismissal, removal or compulsory retirement to the date of reinstatement, in case the period is ordered to be counted as duty for all purposes including pay and allowances. In cases however where the period is ordered to be treated as eligible leave, the subscriber need make his contribution only for period of eligible leave for which he is entitled to get full or half pay.

*Note 4.* - A permanent post vacated by the dismissal, removal, compulsory retirement or reduction of a Government servant to a lower service, grade or post or to a lower time-scale should not be filled substantively until the expiry of the period of one year from the date of such dismissal, removal, compulsory retirement or reduction, as the case may be. Where on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his previous substantive post, belonged. If there is no such vacant post, he should be accommodated against a supernumerary post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade.

*Note 5.* - If an officer under suspension is dismissed \*or removed with retrospective effect from the date of suspension, no recovery should be made of the subsistence allowance already paid to him, and arrears of subsistence allowance, if any, due to him upto the date of the order dismissing \*or removing him should be paid to him. The arrears of subsistence allowance due to the officer should not be adjusted against any amounts due from him to Government.

\*[G.O.(P) 46/80/Fin.,  
dt.15-1-1980]

*Note 6.* - If an officer under suspension is compulsorily retired with retrospective effect from the date of suspension, the pension due to the officer from the date of such retirement to the date of the order compulsorily retiring him shall be with held if the rate of pension is lower than or equal to the rate of subsistence allowance granted to him. In case the pension happens to be higher than the subsistence allowance granted the difference shall be paid to the officer. (Note 6 shall be deemed to have come into force with effect from 22<sup>nd</sup> August 1960).

#### GOVERNMENT DECISION

The term 'Pension' used in Note 6 does not include death-cum-retirement gratuity.

[G.O.(P) 73/66/Fin., dt.  
1-3-1966]

Effective from 22<sup>nd</sup> August 1960.

#### *Ruling No. 1*

Notwithstanding the provision contained in clause (4), an officer who is reinstated under clause (1) and who would have been eligible for promotion to a higher post during the period of suspension but for the suspension will be entitled to the pay and allowances of the higher post only from the date on which he assumes charge of that post.

[G.O.(P) 593/63/Fin., dt.  
21-11-1963]

#### **Ruling No. 2**

It is not necessary to create an additional post to draw the pay and allowances of an officer who has been placed under suspension and is reinstated in service, treating the period of absence as duty.

[G.O.(P) 273/73/Fin.,  
dt. 11-7-1973]

**57.**

An officer who is detained in custody, whether on a criminal charge, or otherwise, for a period exceeding forty-eight hours, or is undergoing imprisonment, shall be deemed to be under suspension with effect from the date of commencement of the detention or imprisonment, as the case may be, and shall not be allowed to draw any pay and allowances during such period of

[G.O.(P) 266/67/Fin., dt.  
6-7-1967]

suspension other than any subsistence allowance and other allowances that may be granted in accordance with Rule 55, until he is reinstated in service. An adjustment of his pay and allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of blame or (if the proceedings taken against him were for his arrest for debt) of its being provided that the officer's liability arose from circumstances beyond his control.

58. An officer against whom a criminal charge or a proceeding for arrest for debt is pending in a court of law should also be placed under suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (e.g., whilst released on bail) if the charge made or proceeding taken against him is connected with his position as an officer or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude unless there are exceptional reasons for not adopting this course. In regard to his pay and allowances the provisions of the rule above shall apply. [G.O.(P) 266/67/Fin., dt. 6-7-1967]
59. Leave may not be granted to an officer under suspension.

#### CHAPTER VIII COMPULSORY RETIREMENT

60. (a) Except as otherwise provided in these rules the date of compulsory retirement of an officer shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years. He may be retained after this date only with the sanction of Government on public grounds which must be recorded in writing, but he must not be retained after the age of 60 years except in very special circumstances. [G.O.(P) 344/75/Fin., dt. 31-7-1975]
- (aa) An Officer in the Kerala Judicial Service or the Kerala State Higher Judicial Service shall ordinarily retire when he attains the age of 60 years; but he shall have the option to retire when he attains the age of 58 years. His continuance in service beyond the age of 58 years shall however be subject to review by the High Court as per the provisions of the Kerala Judicial Service Rules and the Kerala State Higher Judicial Service Rules. [G.O.(P) 457/95/Fin., dt. 28-7-1995]
- This amendment shall be deemed to have come into force with effect from 31<sup>st</sup> December, 1992.
- (b) Officers in the Last Grade Service on 7<sup>th</sup> April 1970 will retire on the afternoon of the last day of the month in which they attain the age of 60 years provided that this benefit will be available to them only as long as they continue to be in the Last Grade Service as defined in Rule 12 (16-A). [G.O.(P) 344/75/Fin., dt. 31-7-1975]
- Note.* - Ex-servicemen who were in armed force prior to 7<sup>th</sup> April, 1970 and who have been appointed as Last Grade Employees in the Last Grade Service in the State after 7<sup>th</sup> April 1970 will also be eligible for the benefit of the above rule provided they continue to be in the Last Grade Service. [G.O. (P) 535/90/Fin., dt. 25-10-1990]
- (c) The teaching staff of all educational institutions (including Principals of Colleges) who complete the age of 55 years during the course of an academic year shall continue in service till the last day of the month in which the academic year ends. \*[They shall be entitled to the benefits of increments and promotion which fall due, before the last day of the month in which they attain the age of 55 years. But they shall not be eligible for

increment or promotion during the period of their service beyond such date]. If they are on leave on the day they attain the age of 55 years and if there is no prospect of their returning to duty before the closing day of the academic year for vacation they shall be retired with effect from the last day of the month in which they attain the age of 55 years. But in cases where officers coming under this rule are under suspension on the date of superannuation or thereafter but before the closing day of the academic year, they shall be retired from service on the date of superannuation or on the date of suspension whichever is later.

\*Effective from 30<sup>th</sup> March 1982.

\*[G.O.(P) 109/82/Fin.,  
dt. 8-3-1982]

If, however, the day on which the teaching staff (including Principals of Colleges) attain the age of 55 years falls within the period of one month beginning with the day of reopening of the institutions they shall cease to be on duty with effect from the date of such reopening and they shall be granted additional leave from the date of reopening to the last day of the month in which they attain the age of 55 years. They shall be entitled to the benefit of increment if it falls due before the actual date on which they attain the age of 55 years.

[G.O.(P) 1005/79/Fin.,  
dt. 15-11-1979]

Effective from 22<sup>nd</sup> May 1970.

If they are eligible to continue in service till the close of the academic year under the 1<sup>st</sup> paragraph of this sub-rule they shall be granted additional leave from the date of closing for vacation till the last day of the month when the date of closing is earlier than the last day of the month.

[G.O.(P) 344/75/Fin.,  
dt. 31-7-1975]

The additional leave granted under this sub-rule will not be counted against the eligible leave and will count for pension. During the period of leave they will draw leave allowance at the same rate as the pay and allowances they would have drawn if they were on duty.

*Exception.-* [Deleted]

[G.O. (P) 229/90/Fin.,  
dt. 29-3-1990]

Effective from 1<sup>st</sup> April 1990.

*Explanation.-* For the purpose of this sub-rule, 'teaching staff' includes -

- (1) Assistant Educational Officers, including Deputy Inspectors of Malabar area.
- (2) District Educational Officers and officers belonging to the cadre, but working in other assignment.
- (3) The following officers of the State Institute of Education, namely :-
  - (a) Junior Evaluation Officer,
  - (b) Special Assistant in English,
  - (c) Technical Assistant,
  - (d) Text Books Research Officer,
  - (e) Education Techniques Officer,
  - (f) Junior Science Consultant,
  - (g) Instructors in Science, and
  - (h) Staff drafted from the teaching staff of Education Department, provided the continuance of this staff in service till the closing day of schools is absolutely



essential in the interest of work and that they are entitled to this benefit in their parent Department.

Items (1) and (2) above shall be deemed to have come into force with effect from 9<sup>th</sup> August 1968 and item No (3) shall be deemed to have come into force with effect from 8<sup>th</sup> May 1969. [G.O.(P) 344/70/Fin., dt. 22-5-1970]

(4) (a) Director of Collegiate Education. [G.O.(P) 622/71/Fin., dt. 12-10-1971]  
Effective from 9<sup>th</sup> June 1971.

(b) Additional Director of Collegiate Education.

(c) Deputy Director of Collegiate Education.

*Note1.*- Item (b) shall be deemed to have been added with effect from the 26<sup>th</sup> November 1980 and item (c) shall be deemed to have been added with effect from 21<sup>st</sup> August 1974. [G.O.(P) 264/81/Fin., dt. 2-5-1981]

(d) Assistant Director of Collegiate Education.

(e) Special Officer (University Grants Commission Schemes)

*Note2.*-The items (d) and (e) shall be deemed to have come into force with effect from the 8<sup>th</sup> July 1981. [G.O.(P) 122/82/Fin., dt. 18-3-1982]

(5) Special Officer for Direct Payment in the Department of Collegiate Education. [G.O.(P) 248/73/Fin., dt. 22-6-1973]

This amendment shall be deemed to have come into force with effect from 11<sup>th</sup> December 1972.

(6) The following Officers appointed from the teaching department of the Medical College Service, namely :- [G.O.(P) 961/86/Fin., dt. 30-12-1986]

(a) Director of Medical Education, and

(b) Joint Director of Medical Education

This amendment shall be deemed to have come into force with effect from 29<sup>th</sup> August, 1984.

(7) The following officers appointed from the Teaching Staff of the Technical Education Department:- [G.O.(P) 1034/97/Fin., dt. 12-11-1997]

(a) Director of Technical Education.

(b) Joint Director of Technical Education.

(c) Professor (Direct payment).

(d) Deputy Director of Technical Education.

(e) Joint Controller of Technical Examinations.

(f) Training Officers.

(g) Technical Officer.

(h) Stock Verification Officer.

(i) Assistant Director of Technical Education.

(j) Special Officers appointed for starting of Technical Educational Institutions.

(k) Director, Kerala State Science and Technology Museum, Thiruvananthapuram.

(l) Director, Institute of Human Resource of Development for Electronics.

(m) Public Relations Officer, Directorate of Technical Education, Thiruvananthapuram.

*Note.*- The benefit of Rule 60 (c) part I Kerala Service Rules will be available to the above officers only if the incumbents holding the posts descent from the teaching faculty.

The items (a) to (j) above shall be deemed to have come into force on the 2<sup>nd</sup> day of July 1990 and items (k) to (m) shall be deemed to have come into force on the 19<sup>th</sup> day of October 1990.

*Note 1.* - All officers other than those in the Last Grade Service, who are past the age of 55 years on the 4<sup>th</sup> day of May 1967 or who attain the age of 55 years in a period of three months from that date will retire only on the date of expiry of three months from the said date.

*Note 2.* - The teaching staff referred to in the above rule who are past the age of 55 years on the 4<sup>th</sup> day of May 1967 or who attain the age of 55 years within a period of three months from that date will continue in service till the closing day of the academic year 1967-68 (Notes 1 and 2 shall be deemed to have come into force with effect from the 4<sup>th</sup> day of May 1967).

*Note 3.* - Even in cases where it is found absolutely necessary to retain the services of an officer who has attained the age of 55 years as far as possible only re-employment after retirement should be resorted to, which shall not ordinarily be sanctioned for more than one year at a time.

*Note 4.* - In the case of an officer whose year of birth is known but not the exact month and date the first July shall be taken as the date of birth; where the year and month are known but not the exact date, the 16<sup>th</sup> day of the month shall be taken as the date of birth.

*Note 5.* - Except when extension of service is specifically sanctioned the retirement of an officer is automatic and no separate sanction is required.

*Note 6.* - For the purpose of this rule as well as the rules in Appendix X, in the case of an officer who entered service prior to first January 1950 and whose date of birth has been noted in Malabar Era in the Service Records, the age may be calculated in the Malabar Era.

*Note 7.* - Completion of 55 years of age in service is in the afternoon and not in the forenoon. A person whose date of birth is first of July completes his 55<sup>th</sup> year on 30<sup>th</sup> June, and that date (30<sup>th</sup> June) is the last day of the month in which he completes the 55<sup>th</sup> year. On first of July he is on his 56<sup>th</sup> year and that day is a non-working day for him. He shall cease to be in service on and from 1<sup>st</sup> July.

*Note 8.* - A teacher whose date of birth is first July and who attains the age of 55 years shall not continue in service till the end of the academic year. However, such of those who continue in service during the academic year 1974-75 under the practice hitherto in vogue shall be allowed to continue in service till the end of April 1975.

*Note 9.* - The benefit contemplated in sub-rule (b) above will not be available to those reverted to the Last Grade Service, other wise than for want of vacancy. (This will take effect from the date of orders).

The above amendments (Except Notes 1 to 6 and 9 above) shall be deemed to have come into force with effect from 5<sup>th</sup> April 1974.

[G.O.(P) 344/75/Fin.,  
dt. 31-7-1975]

*Note 10.* - In this rule the words "Last day of the month" used mean the last day of the month in Christian Era. In cases where the date of superannuation is calculated in the Malabar Era in accordance with Note 6, the corresponding date in the Christian Era shall be reckoned for arriving at the last day of the month.

[G.O.(P) 11/76/Fin.,  
dt. 13-1-1976]

*This amendment shall be deemed to have come into force with effect on and from 5<sup>th</sup> April 1974.*

*Note 11.* - In cases where the academic year in respect of the institutions under the Director of Public Instruction is extended beyond the 31<sup>st</sup> of March in any year, the teaching staff of such institutions who are allowed to continue in service beyond the date of superannuation under sub-rule (c) shall retire on the last day of March itself.

[G.O.(P) 150/84/Fin.,  
dt. 13-3-1984]

*Note12:* -The benefit contemplated in sub-rule (b) above will be available to the following categories of employees also from the dates indicated against each.

[G.O.(P)11/96/Fin.,  
dt. 1-1-1996]

TABLE

Sl No.	Category	Date from which the benefit shall be deemed to have come into force.
1.(i)	Full time Contingent Employees who were appointed as provisional employees for the period from 1.4.1965 to 31-3-1968 and absorbed as Last Grade Employees of regular establishment with effect from 7.4.1970.	27.10.1988
(ii)	Full time Contingent Employees who were appointed as provisional employees for the period from 1.4.1968 to 7.4.1970 and absorbed as Last Grade Employees of regular establishment with effect from 7.4.1970	29.11.1989
2	Villagemen who were in service on 7.4.1970 and who are continuing as such	11.3.1976
3	Ex-Servicemen who had been in Armed Forces prior to 7-4-1970 and appointed as Village men in the State Service after 7.4.1970 and continuing as such.	1.1.1992
*4	Ex-Assam Rifles personnel who were in Assam Rifles prior to 7 <sup>th</sup> April, 1970 and who have been appointed as Last Grade Employees in the Last Grade Service in the State Service after the 7 <sup>th</sup> April, 1970 and continuing as such.	19.9.1995.

\* [G.O.(P) 904/97 /Fin.,  
dt. 22-10-1997]

*Ruling No. 1*

The term "educational institution" mentioned in the above rule will include besides the institutions coming under the Education Department, Institutions such as Medical Colleges, Agricultural Colleges, Veterinary Colleges, Engineering Colleges, Law Colleges, Training Colleges, Polytechnics, Industrial Schools, Fisheries Schools and such other Educational Institutions which have regular authorised vacations.

**Ruling No. 2**

The teaching staff of educational institutions who are allowed to continue in service beyond the date of superannuation till the end of the academic year will not be eligible for any leave other than casual leave during the period of their service beyond the date of superannuation and if they apply for any leave other than casual leave during the period, they shall be retired from service from the date of such application for leave.

[G.O.(P) 296/72/Fin.,  
dt. 18-7-1972]

60A.

[Deleted]

Effective from 3<sup>rd</sup> February, 1988[G.O. (P) 549/88/Fin.,  
dt. 31-8-1988]

## CHAPTER IX

## LEAVE

## SECTION 1 – EXTENT OF APPLICATION

61. Unless in any case it be otherwise distinctly provided, the rules in this Chapter apply to all officers to whom these service rules as a whole apply.

62. (1) Unless in any case it be otherwise distinctly provided by or under these rules, an officer transferred to a service or post to which these rules apply, from a service or post to which they do not apply, is not ordinarily entitled to leave under these rules in respect of duty performed before such transfer:

Provided that in the case of an officer who holds a substantive, officiating or temporary post on the day previous to the one on which these rules come into force, the maximum limit of accumulation of earned leave specified in Rule 78 shall not apply during the period of the first five years from the date of his appointment to the service or from that of the commencement of these rules whichever is later and such an officer may be allowed during the said period of five years to avail himself of the accumulated leave to his credit:

Provided further that on the expiry of the said period of five years the leave at the credit of the officer in excess of the normal maximum limit of accumulation of leave laid down in Rule 78 shall lapse:

Provided also that he shall not earn leave during that period unless the accumulated leave at his credit falls below 180 days.

(2) Subject to the provisions contained in Rule 77(vi), the half pay leave to be carried forward will be the balance of furlough leave or leave on half average pay for which an officer is eligible on the date on which these rules come into force diminished by the leave on medical certificate taken before such date, under the old rules governing him.

63. (a) If an officer, who quits the public service on compensation or invalid pension or gratuity, is re-employed and if his gratuity is thereupon refunded or his pension held wholly in abeyance, his past service thereby becoming pensionable on ultimate retirement, he may, at the discretion of the Government and to such extent as the Government may decide, count his former service towards leave.

(b) An officer who is dismissed or removed from the public service, but is reinstated on appeal or revision, is entitled to count his former service for leave.

*Note 1.-* The re-employment of a person who has retired on a superannuation or retiring pension is generally an exceptional and temporary expedient. In such cases, the service of the re-employed pensioner should be regarded as temporary and his leave during the period of re-employment regulated by the rules in Appendix VIII.

*Note 2.-* Resignation of public service even though it is followed immediately by re-employment entails forfeiture of past service and constitutes an interruption of duty. But resignation to take up another appointment does not constitute an interruption.

## SECTION II – GENERAL CONDITIONS

64. The Government may issue orders specifying the authority by whom leave other than study leave and leave without allowances exceeding a period of four months at a time, may be granted. [G.O.(P)481/70/Fin., dt. 6-7-1970]

Effective from 6<sup>th</sup> March 1968.

The power to sanction leave without allowances exceeding a period of four months at a time will rest with Government. [G.O.(P)313/76/Fin., dt. 5-10-1976]

This amendment shall be deemed to have come into force with effect from 14<sup>th</sup> November 1966.

65. Leave cannot be claimed as a matter of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

*Note.* - The nature of the leave due and applied for by an officer cannot be altered at the option of the sanctioning authority and while it is open to the sanctioning authority to refuse or revoke the leave due and applied for, it is not open to him to alter the nature of such leave.

66. Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When the day immediately preceding the day on which an officer's leave begins or immediately following the day on which his leave expires is a holiday or one of a series of holidays, the officer may leave his station at the close of the day before, or return to it on the day following such holiday or series of holidays; provided that-

- (a) his transfer or assumption of charge does not involve the handing or taking over of securities or of money other than a permanent advance;
- (b) his early departure does not entail a correspondingly early transfer from another station of an officer to perform his duties; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the officer who was performing his duties during his absence or in the discharge from Government service of a person temporarily appointed to it.

**Ruling**

A restricted holiday enjoyed with the permission of the competent authority shall be treated as holiday for the purpose of this rule. [G.O.(P) 458/66/Fin., dt. 13-10-1966]

67. On condition that the departing officer remains responsible for the money in his charge, a competent authority may declare that proviso (a) under Rule 6 is not applicable to any particular case.

68. Unless the competent authority in any case otherwise directs -

- (a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances takes effect from the first day after holidays; and
- (b) if holidays are affixed to leave, the leave is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from, the day on which the leave would have ended, if holidays had not been affixed.

The following procedure is prescribed when vacation or gazetted holidays are permitted to be prefixed or affixed to leave :-

- Note 1.-(i) When they are prefixed to leave, the officer proceeding on leave will report before leaving the station, or if for urgent reasons the leave is granted during vacation or gazetted holidays, as soon as it is granted that he will cease to discharge the duties of his post with effect from the end of vacation or holidays. The relieving officer will then assume the duties of the post at the end of the vacation or holidays in the ordinary course.
- (ii) When a vacation or holidays are affixed to leave, the officiating officer will be relieved in the ordinary way before the vacation, or holidays, and the officer on leave will return at the end of the vacation or holidays, but will be regarded as having assumed the duties of the post with effect from the commencement of the vacation or holidays.
- (iii) Except in cases covered by (i) and (ii) above, transfer of charge certificates should be signed by both the relieved and relieving officers on the day on which charge is transferred.

[G.O. (P) 482/82/Fin.,  
dt. 26-8-1982]

- Note 2.-(i) When a Government Servant is certified medically unfit to attend office, holiday(s) if any immediately preceding the day he is so certified shall be allowed automatically to be prefixed to leave and the holiday(s) if any immediately succeeding the day he is so certified (including that day) shall be treated as part of the leave; and
- (ii) When a Government Servant is certified medically fit for joining duty, holiday(s) if any, succeeding the day he is so certified (including that day) shall automatically be allowed to be suffixed to the leave, and holiday(s) if any, preceding the day he is so certified shall be treated as part of the leave.
- (iii) Except in cases covered by (i) and (ii) above, transfer of charge certificates should be signed by both the relieved and relieving officers on the day on which charge is transferred.

[G.O.(P) 482/82/Fin.,  
dt. 26-8-1982]

The note shall be deemed to have come into force with effect from 26<sup>th</sup> August 1982.

#### **Ruling No. 1**

A restricted holiday enjoyed with the permission of the competent authority shall be treated as holiday for the purpose of this rule.

[G.O.(P)458/66/Fin.,  
dt. 13-10-1966]

#### **Ruling No.2**

There is no objection to an officer in a vacation Department being permitted to suffix holiday (s) to leave and also to enjoy the vacation in continuation of the holiday so suffixed to leave.

[G.O.(P) 109/81/Fin.,  
dt. 9-2-1981]

- 69.** An officer on leave may not take any service or accept any employment without obtaining the previous sanction of the authority empowered to fill up the post held by him.

Note: This rule does not apply to casual literary work, or to service as an examiner or similar employment; nor does it apply to acceptance of foreign service, which is governed by the rules under Chapter XI.

- 70.** All orders recalling an officer to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the officer is entitled to no concession. But if it is compulsory he is entitled to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw Travelling Allowance under rules made in this behalf for the journey, but to draw until he joins his post, leave salary only.

71. No officer who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the following form from a Medical Officer not below the rank of an Assistant Surgeon or the Director of Indigenous Medicine.

Signature of applicant

We, the members of a Medical Committee

I, Civil Surgeon/Assistant Surgeon of

Registered Medical Practitioner of

Director of Indigenous Medicine

do hereby certify that I / we have carefully examined ABC of the ..... Department, whose signature is given above and find that he has recovered from his illness and is now fit to resume duties in Government Service. I/we also certify that before arriving at this decision I / we have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended, and have taken these into consideration in arriving at my/our decision.

Place:.....

Date:.....

The original medical certificate(s) and statement(s) of the case on which the leave was originally granted or extended shall be produced before the authority asked to issue the above certificate(s).

Note. - If the officer on leave is not a Gazetted Officer the authority under which the officer will be employed on return from leave may, in its discretion accept a certificate signed by any registered medical practitioner. For this purpose original certificate(s) of the case should be prepared in duplicate, one copy being retained by the officer concerned.

72. (1) An officer on leave may not return to duty before the expiry of the period of leave granted to him, unless he is permitted to do so by the authority which granted him leave.
- (2) Notwithstanding anything contained in sub-rule (1) an officer on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the authority empowered to appoint him.

Note 1. - No formal cancellation of the unexpired portion of leave is necessary when an officer returns to duty before the expiry of his leave. The cancellation will be effected by the Audit Officer in the case of Gazetted Officers and by the Head of office in the case of non-gazetted officers.

Note 2. - (a) and (b) [Deleted]

[G.O.(P) 645/81/Fin.,  
dt. 13-10-1981]

### **Ruling**

When the officer proceeds on leave from the post in which he is re-employed and avails of the refused leave during the period of re-employment or after, the leave salary would be same as would have been admissible in the normal course but for re-employment reduced by the amount of pension and/or pension equivalent of gratuity and other retirement benefits.

[G.O.(P) 218/68/Fin.,  
dt. 15-5-1968]

**Government Decision**

Initial pay on re-employment should be fixed at the minimum stage of the time-scale of pay prescribed for the post in which an individual is employed.

[G.O.(P) 426/64/Fin.,  
dt. 20-6-1964

&

G.O.(P) 218/68/Fin.,  
dt. 15-5-1968]

In cases where it is felt that the fixation of initial pay of the re-employed officer at the minimum of the timescale will cause undue hardship, the pay may be fixed at a higher stage by allowing one increment for each year of service which the officer has rendered before retirement in a post not lower than that in which he is re-employed subject however to the proviso to Rule 119, Part III of these rules.

Effective from 20<sup>th</sup> June 1964.

Note 2.-(c) The leave salary of an officer who is permitted during leave preparatory to retirement before attaining the age of superannuation, or during leave under Rule 75 to take up employment under any other Government under a private employer or employment payable from a local fund, will also be restricted during such employment as in (b) above.

73.

Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave except leave under Appendices XII A, XII B and XII C. However, leave under Appendices XII A and XII C may be granted in combination with or in continuation of the leave under Appendices XII A and XII C.

[G.O.(P)1002/97/Fin.,  
dt. 6-11-1997]

This amendment shall be deemed to have come into force with effect from 12<sup>th</sup> April 1984.

**Ruling**

The eligibility for leave is determined with reference to the eligibility on the date on which an officer proceeds on leave.

[G.O.(P) 309/76/Fin.,  
dt. 29-9-1976]

74.

Vacation may be taken in combination with or in continuation of any kind of leave, provided the total duration of vacation and earned leave taken together, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the officer at a time under Rules 78 and 79. The combination of earned leave and commuted leave will be limited to 240 days. There will be no limit on the half-pay leave that can be availed of at a time on medical certificate or private affairs. This will apply even when such leave is taken preparatory to retirement.

**Government Decision No. 1**

It is permissible to allow a vacation to intervene between two periods of leave. Similarly vacation may be prefixed or suffixed to leave or both prefixed and suffixed. The only restriction is that the total duration of vacations and earned leave together should not exceed the amount of earned leave due and admissible to the officer under Rules 78 and 79, Part I, Kerala Service Rules and that the duration of the total period of vacation, earned leave and commuted leave taken together shall not exceed 240 days.

[Circular No. 90/63/Fin.,  
dt. 16-12-1963]

**Government Decision No. 2**

Special casual leave may be combined with vacation, but in such cases combination of special casual leave with ordinary casual leave will not be permitted.

[G.O.(P) 216/76/Fin.,  
dt. 24-7-1976]

75.

No leave shall be granted beyond the date on which an officer must compulsorily retire:

[G.O. (P) 645/81/Fin.,  
dt. 13-10-1981]



The provisos, the explanations and the Notes 1 to 7 omitted with effect from 13<sup>th</sup> October 1981.

76. Any leave granted under these rules may be retrospectively commuted into any other kind of leave admissible to the officer at the time the original leave was granted:

Provided that earned leave shall not be commuted into leave of a different kind, \*except as provided in the Note below Rule 1, Appendix XII C.

[G.O.(P) 1002/97/Fin.,  
dt. 6-11-1997]

\*This amendment shall be deemed to have come into force with effect from 12<sup>th</sup> April 1984.

### SECTION III – GRANT OF LEAVE

77. In these rules :-

- (i) 'Ordinary leave' includes earned leave, halfpay leave, commuted leave, leave not due and leave without allowances.
- (ii) 'Special leave' includes disability leave, study leave, maternity leave and hospital leave.
- (iii) 'Earned leave' means leave earned in respect of periods spent on duty.
- (iv) 'Half-pay leave' means leave earned in respect of completed years of service.
- (v) 'Earned leave due' means the amount of privilege leave/earned leave to the credit of an officer under the rules previously in force on the day immediately preceding the date on which these rules came into force plus the earned leave calculated as prescribed in these rules diminished by the amount of earned leave taken after the date on which these rules came into force.
- (vi) 'Half-pay leave due' means the amount of half-pay leave calculated as prescribed in Rule 83 for the entire service diminished by the amount of leave on private affairs and leave on medical certificate taken before these rules came into force and half-pay leave taken on or after the date:

Provided that in the case of officers who are given credit for the halfpay leave admissible to them as on the date of coming into force of these rules in accordance with the provision contained in Rule 62 (2), the half-pay leave according to these rules will be calculated only on the service rendered from the date on which these rules come into force:

Provided also that where such leave on private affairs and leave on medical certificate already availed of is in excess of the period of halfpay leave due, reckoned under this rule as on the date on which these rules come into force, such excess shall be wiped off,

- (vii) 'Commutated leave' means leave taken under Rule 84.
- (viii) 'Officer in permanent employ' means an officer who holds substantively a permanent post or who holds a lien on a permanent post or who would hold a lien on a permanent post had the lien not been suspended.
- (ix) 'Completed years of service' and 'one year's continuous service' mean continuous service of the specified duration under the Government of Kerala and include periods spent on duty as well as on leave including leave without allowances.

**Ruling**

The period of leave without allowances availed of under Appendix XIA for taking up employment will be excluded in reckoning completed years of service for purposes of calculating half-pay leave to be earned under Rule 83 Part I Kerala Service Rules.

[G.O.(P) 1171/87/Fin.,  
dt. 30-12-1987]

**Government Decision No.1**

Under Article 195, Travancore Service Regulations and Article 130 (4) of the old leave Rules in the Cochin Service Regulations, privilege leave on half salary can be granted in case of urgent necessity to an officer serving in a vacation department who enjoys the benefit of vacation. As the privilege leave is not earned but only granted in cases of urgent necessity, neither credit towards leave on this account need be made in the leave account of the officer as on 1<sup>st</sup> November 1959 under Kerala Service Rules for such leave already availed of prior to 1<sup>st</sup> November 1959 reduced from the half-pay leave admissible under Rule 77 (vi), Kerala Service Rules.

[Fin, CR.17422/60,  
dt. 30-3-1960]

Furlough on average salary taken prior to 1<sup>st</sup> November 1959 is to be reduced from the halfpay leave by twice the amount of such leave for purposes of Rule 77 (vi) Kerala Service Rules.

**Government Decision No.2**

According to G.O.(MS) 101, dated 22<sup>nd</sup> January 1958 of the Madras Government, the benefit of Rule 27 of the Madras Leave Rules, 1933 to certain approved probationers stand extended upto 31<sup>st</sup> December 1962. In the case of those officers allotted from Madras, governed by Madras Leave Rules and who were eligible for the above concession and who have opted to be governed by the Kerala Service Rules from 1<sup>st</sup> November 1959, the accrued leave reckoned on the basis of the concession but not availed of by them on 1<sup>st</sup> November 1959 will be treated as leave standing to their credit for purposes of Rule 77 (v) Kerala Service Rules.

[G.O.(MS) 477/60/Fin.,  
dt. 11-10-1960]

78.

The earned leave admissible to an officer in permanent employ is one-eleventh of the period spent on duty, provided that he will cease to earn such leave when the earned leave due amounts \*240 days.

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> July 1986.

[G.O.(P) 837/92/Fin.,  
dt. 4-11-1992]

79.

Subject to the Provisions of Rules 65 and 75 the maximum earned leave that may be granted at a time to an officer shall be \*180 days.

\* This amendment shall be deemed to have come into force with effect from 18<sup>th</sup> May 1991.

[G.O.(P) 908/97/Fin.,  
dt. 24-10-1997]

*Exception.*- In the case of an officer applying for leave preparatory to retirement, the maximum earned leave that may be granted at a time shall be \*240 days.

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> July 1986.

[G.O.(P) 837/92/Fin.,  
dt. 4-11-1992]

80.

Earned leave is not admissible to an officer in permanent employ serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation.

**Ruling**

Officers undergoing training in institutions which have

regular vacations and who enjoy vacations of those institutions, will be treated as officers serving in a vacation department for the purpose of Rule 80 Part I, Kerala Service Rules.

81. The earned leave admissible to an officer in permanent employ serving in a vacation department, in respect of any year in which he is prevented from availing himself of the full vacation, is such proportion of 30 days as the number of days of vacation not taken bears to the full vacation.

If in any year the officer does not avail himself of the vacation, earned leave will be admissible to him in respect of that year in accordance with the provisions of Rules 78 and 79 above.

*Note 1.* - A vacation department is a department or part of a department to which regular vacations are allowed during which the officers serving in the department are permitted to be absent from duty.

*Note 2.* - The Principal, the Superintendent, the entire office staff, sergeant (if any) and the gardeners of the following institutions will be treated as non-vacation officers with effect from the dates specified against each:

- |  |   |           |
|--|---|-----------|
| 1. Government Arts Colleges  | : | 1.11.1959 |
| 2. Law Colleges, Training Colleges and Physical Education Colleges | : | 8.3.1960  |
| 3. Engineering Colleges and Polytechnics                           | : | 13.6.1960 |
| 4. Junior Technical Schools  | : | 18.5.1963 |

The Teaching staff in the Hindi Teachers' Training Institutes at Trivandrum and Trichur will be treated as non-vacation officers with effect from 4<sup>th</sup> June 1970.

[G.O.(P) 205/72/Fin.,  
dt. 16-6-1972]

The headmasters of schools and non-teaching staff of the schools under the Director of Public Instruction will be treated as non-vacation officers with effect from the date noted against each:-

[G.O. (P) 39/73/Fin.,  
dt. 5-2-1973]

Headmasters of schools :

9.6.1969

Non teaching staff :

22.4.1960

*Exception.* - The Superintendents of the Junior Technical Schools attached to the Polytechnics at Kannur, Calicut and Trichur will be treated as vacation officers.

G.O.(P) 78/70/Fin.,  
dt. 29-1-1970.

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1967.

The Senior Agricultural Officer/Veterinary Surgeon and Attenders in High Schools where Vocational Higher Secondary Courses were introduced, will be treated as non-vacation officers with effect from 13<sup>th</sup> August 1984.

[G.O. (P) 95/89/Fin.,  
dt. 24-2-1989]

The Assistant Director of Fisheries and Attenders in the High Schools where Fisheries have been introduced as vocational subject, will be treated as non-vacation officers with effect from 28<sup>th</sup> May 1986.

[G.O. (P) 95/89/Fin.,  
dt. 24-2-1989]

*Note 3.* - The term "Year" should be interpreted to mean, not a calendar year in which duty is performed, but twelve months of actual duty in a vacation department.

*Note 4.* - When an officer is transferred from a vacation department to a non-vacation department, his period of service in the former will, for the purpose of calculation of leave, be considered to have terminated with effect from the close of the last vacation enjoyed by him.\* [But if the transfer is effected during the course of vacation, he will be deemed to have been transferred to the non-vacation department on the close of the vacation which he has partly enjoyed and he will be credited with

proportionate amount of earned leave under this rule for the period of vacation which he was prevented from enjoying on account of such transfer]. When an officer is transferred from a non-vacation to a vacation department, his period of service in the latter will be held to have commenced from the date of expiry of the last vacation previous to such transfer.

\* This amendment shall be deemed to have come into force with effect from 6<sup>th</sup> August 1982.

[G.O.(P) 409/82/Fin.,  
dt. 6-8-1982]

### Government Decision

The above Note shall apply to appointments of Government Officers in a vacation Department through the Public Service Commission while working in non-vacation Department in the course of the academic year and vice versa.

[G.O.(P) 573/81/Fin.,  
dt. 2-9-1981]

Note 5. - The Library staff of Arts and Science, Training and Law Colleges shall be treated as non-vacation staff.

[G.O.(P) 553/75/Fin.,  
dt. 11-12-1975]

This amendment shall be deemed to have come into force with effect from 7<sup>th</sup> November 1974.

Note 6. - The Heads of Nursery Schools shall be treated as non-vacation staff.

[G.O.(P) 230/76/Fin.,  
dt. 3-8-1976]

This amendment shall be deemed to have come into force with effect from 11<sup>th</sup> February 1976.

Note 7. - In the case of an officer of non-vacation department sent on deputation for training to an institution having regular vacation, his eligibility for earned leave shall be decided as follows:-

(i) if the officer is not permitted to enjoy the vacation and is retained by the institution for duty, and if the head of the institution so certifies, the officer shall be considered as on duty during that period and earned leave for that period shall be admissible to him in accordance with the provisions of Rules 78 and 79.

(ii) if the officer enjoys only part of the vacation, deduction of earned leave will be in such proportion of 30 days as the number of days of vacation enjoyed bears to the full vacation.

[G.O.(P) 887/80/Fin.,  
dt. 21-11-1980]

Effective from 1<sup>st</sup> July 1975.

### Ruling No. 1

An officer serving in a vacation department when put in full additional charge of the duties of a post in a non-vacation department shall be considered to have been denied the benefit of vacation if that charge arrangement falls within a vacation period.

[G.O. (P) 366/70/Fin.,  
dt. 27-5-1970]

### Ruling No. 2

Teachers deputed for training under the Summer School Training Programme during vacation shall be considered to have been prevented from availing themselves of the vacation provided such period of training has been treated as duty under Rule 12 (7).

[G.O. (P) 366/70/Fin.,  
dt. 27-5-1970]

### Ruling No. 3

Teaching staff who are N.C.C. Officers in Colleges, Polytechnics and Schools, when detailed to undergo training or refresher course or for duty in connection with the conduct of N.C.C. training or refresher course, during periods of vacation, will be treated as on duty and allowed the benefit of earned leave under the above rule.

[G.O.(P) 364/72/Fin.,  
dt. 16-8-1972]

The ruling shall be deemed to have come into force from 15<sup>th</sup> February 1972.

**Ruling No.4**

Teaching Staff attending the work of Valuation and Tabulation of S.S.L.C. and Higher Secondary Public Examination during vacation shall be considered to have been prevented from availing themselves of the vacation and such period will be treated as duty and allowed the benefit of earned leave under the rule.

[G.O.(P) 3113/98/Fin.,  
dt.15-12-1998]

82. *Half-pay leave*.- Half-pay leave as provided in Rule 83 may be availed of on private affairs or on medical certificate.
83. The half-pay leave admissible to an officer in permanent employ in respect of each completed year of service is 20 days.
84. *Commutated Leave*.- Commuted leave not exceeding half the amount of half-pay leave due may be granted to an officer in permanent employ. When Commuted Leave is granted twice the amount of such leave shall be debited against the half-pay leave due.

[G.O. (P) 540/87/Fin.,  
dt. 20-6-1987]

**Ruling No. 1**

[Deleted]

[G.O. (P) 685/87/Fin.,  
dt. 19-8-1987]

**Ruling No. 2**

[Deleted]

[G.O. (P) 685/87/Fin.,  
dt. 19-8-1987]

85. *Leave not due*.- Save in the case of leave preparatory to retirement leave not due may be granted to an officer in permanent employ for a period not exceeding 360 days during his entire service out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. This will be debited against halfpay leave which the officer earns subsequently. Leave not due should be granted \*[only when no other leave with allowance is available at credit of the officer and if the authority empowered to sanction leave] is satisfied that there is a reasonable prospect of the officer returning to duty on the expiry of the leave and earning an equal amount of half pay leave thereafter.

\*[G.O.(P) 409/77/Fin.,  
dt. 24-10-1977]

Note 1.- Where a Government servant who has been granted leave not due under this rule, applies for permission to retire voluntarily, the leave not due shall, if the permission is granted, be cancelled.

Note 2.- Except as provided in Note 1, leave not due when granted should in all cases (subject to the officer's wishes) be allowed to stand, including cases in which the officer fails to earn it by subsequent duty.

**Government Decision**

A question has been raised whether in cases where the officers whose credit in half-pay leave account results in a minus balance on 1<sup>st</sup> November 1959 can be granted a further period of 360 days leave not due under Rule 85, Part I, Kerala Service Rules. This has been examined by Government and they consider that in view of the second proviso to the amendment to clause (vi) of Rule 77, Part I, issued in G.O.(P) 261/Fin., dated 23<sup>rd</sup> May 1960, the half-pay leave availed of prior to 1<sup>st</sup> November 1959 in excess of the half-pay leave reckoned under Kerala Service Rules has been wiped off. Therefore such officers should be treated as leaving a nil balance of half-pay leave on 1<sup>st</sup> November 1959 and they should get the same consideration in regard to the grant of leave not due as in the case of those who had not enjoyed half-pay leave in excess of what is admissible under Kerala Service Rules. The Government accordingly direct that officers whose credit on half-pay leave account results in a

[G.O.(Ms) 524/60/Fin.,  
dt. 7-11-1960]

'nil' balance on 1<sup>st</sup> November 1959 consequent on the wiping off of the excess half-pay leave already available shall be eligible for a further period of 360 days, leave not due under Rule 85, Part I, Kerala Service Rules, provided they otherwise satisfy the requirements of the rules.

86. The provisions of Rules 78, 80, 81, and 83, apply also to an officer not in permanent employ except that in respect of the first year of service the earned leave admissible is 1/22 of the period spent on duty:

Provided that no earned leave shall be admissible to such an officer in a vacation department in respect of the first year of his service.

Note 1.-The leave of an officer appointed as a probationer (for a certain period before confirmation of his appointment) will be regulated under the rules prescribed for permanent officers. If for any reason it is proposed to terminate the services of a probationer any leave which may be granted to him shall not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the orders of the authority competent to appoint him.

Note 2. -Whenever the rate of earning leave changes, the fraction in the earned leave accumulated at the earlier rate should be rounded off to the nearest day i.e., fraction below half should be ignored and that of half and more should be reckoned as a day. \*Similarly, the fraction, if any, in the leave earned in accordance with the provisions of the first paragraph of Rule 81 by an officer serving in a vacation department should also be rounded off to the nearest day.

\*[G.O.(P) 230/67/Fin.,  
dt. 20-6-1967]

#### **Ruling**

When a full-time teacher is appointed to a part-time post, the leave earned by him prior to becoming part-time cannot be granted to him while holding the part-time post. Such leave may, however, be granted when he is reappointed to a full-time post.

[G.O.(P) 275/65/Fin.,  
dt. 5-7-1965]

- 86A. Notwithstanding anything contained in Rules 84, 88 (ii) and 90, an officer not in permanent employ who has completed three years of continuous service shall be eligible for (i) commuted leave and (ii) leave without allowances as would be admissible to him if he had held his post substantively.

87. An officer not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the earned leave which would have been admissible if his previous duty had been duty as an officer in permanent employ diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this rule.

88. *Leave without allowances.*- (i) Leave without allowances may be granted to any officer in special circumstances-

- (a) when no other leave is by rule admissible, or
  - (b) when other leave is admissible, but the officer concerned applies in writing for the grant of leave without allowances.
- (ii) Except in the case of an officer in permanent employ, the duration of leave without allowances shall not exceed 3 months on any one occasion.

*Exception 1.*-When a period of suspension is retrospectively treated as leave without allowances by the revising or appellate authority the limitation of admissible leave without allowances to three months to officers not in

permanent employ will not apply.

*Exception 2.*-The limitation in sub-rule (ii) shall not apply to the grant of leave without allowances regulated by the rules in \*Appendices XIIA, XIIB and XIIC.

[G.O.(P) 654/95/Fin.,  
dt.10-10-1995]

[G.O.(P) 953/86/Fin.,  
dt. 27-12-1986]

\*[G.O.(P) 1002/97/Fin.,  
dt. 6-11-1997]

#### Section IV- Commutation Of Leave With Retrospective Effect

89. (i) The authority which granted leave to an officer can commute it retrospectively into leave of a different kind which may be admissible but the officer concerned cannot claim it as a matter of right:

\*Provided that earned leave shall not be commuted into leave of a different kind †except as provided in the Note below Rule 1, Appendix XIIC .

\*Effective from 22<sup>nd</sup> November 1971.

†This shall be deemed to have come into force with effect from 12<sup>th</sup> April 1984.

†[G.O.(P)1002/97/Fin.,  
dt. 6-11-1997]

- (ii) Commutation of one kind of leave into another automatically carries with it the drawal of arrears of leave salary or recovery of amounts overdrawn.
- (iii) Commutation of leave with out allowances taken during temporary service when no other leave was due, into earned leave on confirmation without interruption of service, by giving retrospective effect to the benefit of Rule 87 would be irregular and not in accordance with the intention of Government. The real intention of Rule 87 is to provide only for a retrospective recalculation of leave at credit on the date of confirmation with a reduction on account of the earned leave already taken. Except for the carry-forward of the recalculated credit on confirmation, leave earned and taken should be a closed chapter at that point and no readjustment of any leave taken is automatically permissible as a consequence of such recalculation. The closed chapter may however properly be reopened, for instance, to correct a miscalculation of leave earned or taken or to readjust leave earned and taken when confirmation is ordered with retrospective effect or at the discretion of the sanctioning authority to convert leave of any one kind already taken into leave due of any other kind admissible at the time leave was originally taken.

#### **Government Decision**

When confirmation is given retrospectively with effect from a date earlier than the date on which leave was already sanctioned, such leave can be commuted and readjusted as provided in Rule 89 (iii). Such cases do not come within the purview of the ruling under Rule 11. What has changed is only the status of the officer and not the rule in force at the time the leave was sanctioned. The position will be clear from the following illustration:-

#### *Illustration*

Entry in service of an officer- 1<sup>st</sup> November 1960.

Date of his confirmation - 1<sup>st</sup> November 1961 (orders issued on 1<sup>st</sup> November 1962).

Leave without allowances taken at any time during the period from 1<sup>st</sup> November 1960 to 31<sup>st</sup> October 1961 cannot be retrospectively commuted into any other kind of leave. But leave earned and taken after 1<sup>st</sup> November 1961 can be retrospectively commuted.

[G.O.(P) 204/66/Fin.,  
dt. 17-5-1966]

- 90.** In addition to any leave which may be admissible to him, an officer in temporary employ, who contracts tuberculosis and undergoes treatment in a recognised sanatorium or under a qualified T.B Specialist or a Civil Surgeon or who is suffering from leprosy and undergoes treatment in a recognised Leprosy institution or under a Civil Surgeon or a Specialist in Leprosy, recognised as such \*or who is suffering from cancer and undergoes treatment in a recognised Cancer Institute or under a Civil Surgeon or a Specialist in cancer or who is suffering from mental disease and undergoes treatment in a recognised Mental Hospital or under a Civil Surgeon or a Specialist in mental disease may be granted leave without pay upto a maximum period of 18 months [including 3 months leave without allowances authorised under Rule 88 (ii) above] on any one occasion subject to the following conditions:-

\*[G.O.(P) 570/78/Fin.,  
dt. 11-7-1978]

- (i) the officer is likely to continue in service till his return to duty;
- (ii) the leave without allowances shall be granted subject to the production of a certificate from the Medical Officer-in-charge of the Sanatorium or qualified T.B. Specialist or a Civil Surgeon \* or a Specialist in Leprosy, Cancer or Mental disease as the case may be specifying the period for which leave is recommended; and
- (iii) the medical officer in recommending leave shall bear in mind the provisions of Rule 115.

- 90A.** (a) A Government officer, whether gazetted or non gazetted, drawing a basic pay not exceeding †Rs.2500 per mensem who is granted leave without allowances for the treatment of T.B., \*Leprosy, Cancer or Mental disease may be granted an ex-gratia allowance equal to 35 per cent of the basic pay he was drawing immediately before the commencement of the leave, subject to a maximum of †Rs.875 and minimum of †Rs.580 per mensem. \*\*In respect of cases relating to treatment of cancer and mental diseases, the Rule shall be deemed to have come into force with effect from 11<sup>th</sup> July 1978 and in respect of other cases, with effect from 1<sup>st</sup> July 1978.

\*[G.O.(P) 570/78/Fin.,  
dt. 11-7-1978]

\*\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> July 1978.

[G.O.(P) 373/83/Fin.,  
dt. 7-7-1983]

†This shall be deemed to have come into force with effect from 1<sup>st</sup> March 1992.

[G.O.(P)149/96/Fin.,  
dt. 30-1-1996]

- (b) The allowance will be admissible only when the officer is not eligible for any other leave with allowances.
- (c) The allowance will be granted irrespective of whether the patient undergoes treatment as an inpatient or as an outpatient under the direction of a Civil Surgeon.
- (d) The payment of the allowance will be made only on the production of a certificate issued by the Medical Officer-in-charge of the Sanatorium/Hospital or by one not below the rank of a Civil Surgeon to the effect that the patient has been under his treatment for T.B., \*Leprosy, Cancer or Mental disease during the period for which the allowance is claimed.

\*[G.O.(P) 570/78/Fin.,  
dt. 11-7-1978]



- (e) The allowance in the case of an officer in temporary employ will be limited to a maximum period of 18 months and that in the case of a permanent employ to a maximum period of 36 months in all during his entire service.

Note 1.- The concession of leave without allowance upto eighteen months will be admissible also to an officer who for want of accommodation in any recognised Sanatorium \*or Cancer Institute or Mental Hospital at or near the place of his duty receives treatment at his residence under a recognised \*Tuberculosis Specialist, Leprosy Specialist, Cancer Specialist or Mental Disease Specialist and produces a certificate signed by that specialist to the effect that he is under his treatment and that he has reasonable chances of recovery on the expiry of the leave recommended.

\*[G.O. (P) 570/78/Fin.,  
dt. 11-7-1978]

Note 2.-The leave without allowances under this rule will be admissible only to those officers who have been in continuous Government service for a period exceeding one year.

Note 3.-The lists of recognised \*Tuberculosis Institutions, Leprosy Institutions, Cancer Institutions and Mental Hospitals are given in Appendix V.

\*[G.O.(P) 570/78/Fin.,  
dt. 11-7-1978]

#### **Government Decision**

Recoveries on advances such as 'Onam Advance', 'Advance Pay on transfer', etc., need not be made from the ex-gratia allowance admissible under this rule. Such recoveries may be postponed till such time as the subordinate is fit to rejoin duty or effected from any other amounts payable to the subordinate, otherwise.

[G.O.(P) 159/63/Fin.,  
dt. 2-4-1963]

#### **Ruling**

The payment of ex-gratia allowance in the case of leave without allowances for treatment of T.B/Leprosy taken in continuation of other kinds of leave may be regulated on the basis of the pay drawn by the officer immediately before the commencement of the combined spell of leave.

[G.O.(P) 454/68/Fin.,  
dt. 20-8-1968]

- 91.** Officers with a continuous officiating or temporary service of two years or more, will be granted in addition to any leave which they are eligible for, leave under this rule for obtaining superior qualifications (e.g., B.A. and B.L.), provided, however, that the two years minimum service will not be insisted on in the case of temporary or officiating officers belonging to the Scheduled Castes and Scheduled Tribes. Such leave will not, however be given for broken periods but will cover the entire period of the course concerned. In cases of failure, extension of leave will be granted to cover the further period required for the completion of the course of study.

Note 1.-[Deleted]

[G.O.(P) 204/76/Fin.,  
dt. 15-7-1976]

Note 2.- The term 'superior qualifications' occurring in the above rule denotes only such of the qualifications as on acquisition are intended to enhance the usefulness of the Government servant concerned as a member of the service or will improve his prospects in the service of which he is a member.

#### **Ruling No. 1**

The time limit imposed by Rule 88 (ii) above will not apply to leave for securing higher qualifications granted under this rule.

#### **Ruling No. 2**

The term "course" occurring in the above rule denotes a course of study/training covering a specified academic period

culminating in a public examination, the success in which will qualify the candidate for a degree/diploma/certificate or for admission to another course and includes the training at the Pre-examination Training Centres for I.A.S and other All India Service Examinations.

#### Government Decision

Leave under this rule can be sanctioned by the authority competent to sanction eligible leave and leave without allowances. Study leave under Rule 99, Part I, can be sanctioned only by Government.

[Circular  
No.46858/Rules -  
1/62/Fin.,  
dt. 30-10-1962]

- 91 A.** Officers with a continuous officiating or temporary service of 5 years or more may be granted in addition to any leave to which they are eligible for, leave for undergoing Post-graduate Courses in the sphere of their duties which are primarily of benefit to the State, such as Post-graduate Courses for teachers, Engineers and Doctors. The leave shall be granted only with due regard to the usefulness of the higher studies to the public service.

[G.O.(P) 204/76/Fin.,  
dt. 15-7-1976]

#### SECTION V- LEAVE SALARY

- 92.** An officer on earned leave is entitled to leave salary equal to, -
- (i) full (duty) pay i.e., pay admissible had he been on duty during the period of leave;
  - (ii) dearness allowance applicable to the above duty pay; and
  - (iii) such other compensatory allowances as are admissible under the rules during the period of leave:

\*Provided that where an officer is promoted during the period he is on earned leave the monetary benefit of promotion shall be given only from the date on which he assumes charge of the post, if there is change of duties.

\*[G.O.(P) 452/79/Fin.,  
dt. 4-5-1979]

Effective from 1<sup>st</sup> April 1973.

*Note.* - See Explanation and Notes below Rule 93.

[G.O.(P) 491/75/Fin.,  
dt. 24-10-1975]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

- 93.** An officer on half pay leave or leave not due is entitled to leave salary equal to, -
- (i) half of duty pay, i e., half of the pay admissible had he been on duty during the period of leave;
  - (ii) dearness allowance applicable to the amount admissible under clause (i) above:

Provided that where an officer is promoted during the period he is on half pay leave the monetary benefit of promotion shall be given only from the date on which the officer assumes charge of the post, if there is change of duties.

[G.O.(P) 452/79/Fin.,  
dt. 4-5-1979]

Effective from 1<sup>st</sup> April 1973.

*Exception.* - A non-gazetted officer whose pay before proceeding on leave, does not exceed \*Rs.2000 in the revised scale of pay ordered in G.O. (P) 600/93/Fin., dated 25<sup>th</sup> September 1993 shall be entitled to dearness allowance which would have been admissible had he been on duty, which together with the leave salary so admissible, is subject to a minimum of sixty-five percent of the pay and dearness allowance while on duty. The excess over the actual leave salary in such

[G.O.(P) 149/96/Fin.,  
dt. 30-1-1996]

cases shall be termed as special leave allowance.

\*This shall be deemed to have come into force with effect from 1<sup>st</sup> March 1992.

and

(iii) "House Rent Allowance", for the first four months of leave.

Explanation.- For the purpose of Rule 92 and this rule, period of duty shall be deemed to be the period of duty in a post during which the officer would have drawn the pay in the timescale of that post but for his proceeding on leave.

In the case of officiating appointments, a certificate of continuance in the same post but for leave should be furnished to the Audit Officer along with the sanction noted in the Service Book and the bill claiming the leave salary.

*Note 1.-* Special pay granted in lieu of higher timescale of pay for additional and/or higher responsibilities attached to a post may be drawn during periods of leave if the officer would have continued in that post after the expiry of leave. The officer who records certificate to the above effect in the leave salary bill may do so only after proper verification. The special pay sanctioned for specially arduous nature of work or for work in addition to normal duties attached to his post or charge allowance will not be admissible during periods of leave unless the officer discharges the work for which the special pay is sanctioned.

*Note 2.-* In the case of non-gazetted officers who elect to remain in the pre-revised scale, the monetary limit for the purpose of the Exception to Rule 93 shall continue to be Rs. 290 which was fixed with effect from 1<sup>st</sup> July 1968, and the amount of leave salary together with the dearness allowance is not subject to any minimum till such date as on which they come over to the revised scale of pay ordered in G.O. (P) 91/74/Fin., dated 5<sup>th</sup> April 1974.

*Note 3.-* The 'Special Allowance' sanctioned to the Police Personnel and corresponding categories in the Fire Force, Prison, Forest, Excise and Vigilance Departments shall be payable during periods of all kinds of leave with allowances. But the drawal of the allowance during periods of leave shall be restricted to the first four months of leave.

[G.O.(P) 245/81/Fin.,  
dt. 21-4-1981]

This amendment shall be deemed to have come into force with effect from 28<sup>th</sup> January 1980.

- 94.** An officer on commuted leave is entitled to leave salary equal to twice the amount of the pay admissible under Rule 93 (i) and dearness allowance applicable to the pay so admissible.

[G.O. (P) 491/75/Fin.,  
dt. 24-10-1975]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

- 95.** An officer on leave without allowances is not entitled to any leave salary.

#### SECTION VI-OVERSTAYAL

- 96.** In the case of an officer governed by these leave rules who remains absent after the end of his leave, the period of such overstayal of leave is, unless the leave is extended by the competent authority treated as follows:-

(i) as half pay leave to the extent such leave is due, whether the overstayal is supported by a medical certificate or not;

\* (ii) leave without allowances to the extent of the period of half pay leave due falls short of the period of overstayal.

\*[G.O.(P) 703/64/Fin.,

The officer is not entitled to leave salary during such overstayal of leave not covered by an extension of leave by competent authority.

dt. 1-10-1964]

*Note:* - Wilful absence from duty after the expiry of leave will be treated as misbehaviour for the purpose of Rule 21, Part I.

**96A.**

Where a Government servant not in permanent employ fails to resume duty on the expiry of the maximum period of leave without allowances granted to him or where such a Government servant who is granted a lesser amount of leave without allowances than the maximum amount admissible remains absent from duty for any period which together with the leave without allowances granted exceeds the limit upto which he could have been granted such leave under these rules, he shall, unless the Government, in view of the exceptional circumstances of the case otherwise determines, be removed from service after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

[G.O. (P) 254/70/Fin.,  
dt. 27-4-1970]

#### SECTION VII - SPECIAL DISABILITY LEAVE

**97.**

- (1) Subject to the conditions hereinafter specified, special disability leave may be granted to an officer who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

[G.O. (P) 481/70/Fin.,  
dt. 6-7-1970]

Effective from 6<sup>th</sup> March 1968.

- (2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the Government, if they are satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself is more than three months after the occurrence of its cause.
- (3) The period of leave granted shall be such as is certified by the medical attendant of the officer to be necessary. It shall not be extended except on the certificate of the medical attendant of the officer and shall in no case exceed 24 months.
- (4) Such leave may be combined with leave of any other kind.
- (5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.
- (6) Such leave shall be counted as duty in calculating service for pension and shall not be debited against the leave account.
- (7) Leave salary during such leave shall be granted—
- (a) for the first four months of any period of such leave including a period of such leave granted under clause (5) of this rule as under Rule 92, and
- (b) for the remaining period of any such leave, as under Rule 93.
- (8) In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4 (1) (d) of the said Act.

**98.**

The application of the provisions of Rule 97 may be extended to an

officer who is disabled by injury accidentally incurred in \*or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds.

[G.O. (P) 353/76/Fin.,  
dt. 19-11-1976]

Effective from 6<sup>th</sup> March 1968.

[G.O. (P) 481/70/Fin.,  
dt. 6-7-1970]

The grant of this concession is subject to the further conditions :-

- (1) that the disability, if due to disease must be certified by the medical attendant of the officer to be directly due to the performance of the particular duty ;
- (2) that, if the officer has contracted such disability during service, it must be, in the opinion of the Government, so exceptional in character, or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of a leave; and
- (3) that the period of absence recommended by the medical attendant of the officer may be covered in part by leave under this rule and in part by other leave, and that the amount of special disability leave granted on full pay i.e., pay admissible had he been on duty during the period of leave may be less than four months.

*Note.* - Disability leave is admissible to temporary officers also.

[G.O. (P) 491/75/Fin.,  
dt. 24-10-1975]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

#### SECTION VIII – STUDY LEAVE

99.

Leave may be granted to officers on such terms as the Government may by general order prescribe to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. The detailed rules framed under this rule are given in Appendix VI.

*Note.* - For rule regarding the grant of leave without allowance for study purposes in the case of officers not in permanent employ, see Rule 91.

#### SECTION IX - MATERNITY LEAVE

100.

A competent authority may grant to a female officer, maternity leave on full pay for a period of 90 days from the date of its commencement.

[G.O.(P)96/81/Fin.,  
dt. 5-2-1981]

This amendment shall be deemed to have come into force with effect from 29<sup>th</sup> July 1980.

*Note 1.* - Maternity leave is also admissible to temporary female officers under this rule.

*Note 2.* - [Deleted]

[G.O.(P)96/81/Fin.,  
dt. 5-2-1981]

*Note 3.* - The female candidates undergoing pre-appointment stipendiary training may be allowed leave for maternity purpose to the extent envisaged under this rule on full rate of stipend admissible. The benefit of this leave may also be granted in the case of miscarriage/abortion subject to the same conditions as laid in Rule 101 below.

[G.O.(P) 308/74/Fin.,  
dt. 20-9-1974]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> August 1973.

*Note 4.*- Maternity leave under this rule and Rule 101 shall be admissible to provisional female recruits continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

[G.O.(P) 825/80/Fin.,  
dt. 31-10-1980]

This amendment shall be deemed to have come into force with effect from the 2<sup>nd</sup> July 1969.

### **Ruling**

The expression 'full pay' occurring in the above rule means pay as admissible to an officer under Rule 92, Part I, Kerala Service Rules.

[G.O.(P) 413/90/Fin.,  
dt. 7-8-1990]

**101.** Leave under Rule 100 above may also be granted to female officers in cases of miscarriage including abortion subject to the condition that the leave does not exceed six weeks and application for the leave is supported by a certificate from the medical attendant.

**102.** Maternity leave may be combined with leave of any other kind but leave applied for in continuation of the former may be granted only if the request be supported by a medical certificate:

\*Provided that no medical certificate shall be necessary for grant of any leave for a period not exceeding sixty days in continuation of maternity leave.

\*Effective from 5<sup>th</sup> June 1978.

[G.O.(P) 428/79/Fin.,  
dt. 24-4-1979]

*Note*-Regular leave in continuation of maternity leave may also be granted to a female officer on her producing a medical certificate to the effect that the new born baby requires personal attention of the mother and her presence by the side of the baby is absolutely necessary.

*Explanation*.—The kinds of leave coming under regular leave mentioned in the Note are Earned Leave, Half Pay Leave, Leave Not Due and Leave Without Allowances only.

### SECTION X—HOSPITAL LEAVE

**103.** A competent authority may grant hospital leave to officers of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties.—

(a) Police Officers of rank not higher than that of Head Constable and Fire Service Personnel of and below the rank of Leading Fireman, including Driver, Mechanics and Fireman Drivers.

(b) Forest subordinates, other than clerks in receipt of pay not exceeding \*Rs.1520

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> March 1992.

[G.O.(P) 149/96/Fin.,  
dt. 30-1-1996]

(c) Head warders or warders, male or female, of jails or lunatic asylums and Matrons of the Jails Department.

(d) Subordinates employed in Government Laboratories.

(e) Subordinates of other departments employed in the working of Government machinery.

(f) Last grade employees of all departments.

(g) Guards and Preventive Officers of the Excise Department, and

- \*(h) Government Servants drawing a pay of Rs. 120 or less per mensem who serve as Home Guard Volunteer.
- \*[G.O. (P) 143/68/Fin.,  
dt. 16-4-1968]
- Note1.- Hospital leave will be granted only on production by the employee concerned of a medical certificate from his authorised medical attendant to the effect that the leave recommended is necessary to effect a cure and a certificate from his head of office to the effect that the illness or injury was directly due to risk incurred in the course of official duties.
- [G.O.(P) 308/85/Fin.,  
dt. 29-5-1985]
- Note 2.-Hospital leave is admissible to temporary employees also under this rule.
- Note 3.-Hospital leave will be granted to the officers coming under clause (h) above only in cases of injuries sustained while on duty as Home Guard Volunteers and only if the application is supported by a certificate from the Commandant General, Home Guards, to the effect that the injury was sustained by the employee while on active duty as a Home Guard Volunteer. This will be in addition to the certificate prescribed in Note 1 above.
- [G.O.(P) 143/68/Fin.,  
dt. 16-4-1968]
- 104.** Hospital leave may be granted for such period as the authority granting it may consider necessary, on leave salary (1) equal to leave salary while on earned leave, for the first 120 days of any period of such leave; and (2) equal to leave salary during half pay leave, for the remaining period of any such leave. In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4 (1) (d) of the said Act.
- [G.O. (P) 320/75/Fin.,  
dt. 17-7-1975]
- 105.** [Omitted]
- [G.O. (P) 522/67/Fin.,  
dt. 4-12-1967]
- 106.** Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible.

**Government decision**

A register in the form, given below will be maintained by all Heads of Departments and offices showing the various kinds of special leave (e.g., special disability leave, hospital leave, maternity leave, study leave, leave not due, commuted leave, etc.) granted to Government servants from time to time to facilitate the check by the local audit parties as to whether the conditions for the grant of the leave have been fulfilled in individual cases, by the authorities competent to sanction the leave.

Register for recording particulars of special kinds of leave e.g., maternity leave, special disability leave, hospital leave, leave not due, etc.							
Name and designation of the officer	Nature of leave	Period		Particulars of sanction		Initials of authority competent to attest entries in the Service Book	Remarks
		From	To	No.	Date		
1	2	3	4	5	6	7	8

[G.O. (P) 337/60/Fin.,  
dt. 2-7-1960]

#### SECTION XI – LEAVE TO PART-TIME OFFICERS

- 107.** A Law Officer, if his pay is fixed at a definite rate but his whole time is not retained for the service of Government may be granted leave as follows:-
- Leave on full pay during vacation of the Court within whose jurisdiction he serves, provided that no extra expense is hereby caused to Government. Such leave will be counted as duty.
  - Leave on half pay for not more than three months once only in his service after three years of duty.
  - On medical certificate, leave on half-pay upto a maximum of six months at any one time, provided that two years of duty must intervene between any two periods of leave on medical certificate.
  - On the conditions prescribed in Rule 88 leave without allowances.
- 108.** Leave under any one of the clauses of Rule 107 may be combined with leave under any other clause.
- 109.** An officer remunerated by honoraria may be granted leave on the terms laid down in Rules 107 and 108 provided that he makes satisfactory arrangements for the performance of his duties, that no extra expense is caused to Government and that during leave of the kind contemplated by clause (b) of Rule 107 the whole of the honoraria is paid to the person who officiates in his post.
- 110.** Leave of the following kinds may be granted to an apprentice:-
- On medical certificate, leave on leave salary equivalent to half-pay for a period not exceeding one month in any year of apprenticeship.
  - Leave without allowances under Rule 88.



## SECTION XI A - LEAVE TO RADIATION WORKERS

- 110 A.** Rules for the grant of leave to radiation workers in the State Medical Service are given in Appendix XII. [G.O.(P) 92/68/Fin., dt. 6-3-1968]

## SECTION XI B - LEAVE FOR TAKING UP EMPLOYMENT ABROAD OR WITHIN INDIA

- 110 B.** Rules for the grant of leave without allowances for taking up employment abroad or within India are given in Appendix XII A. [G.O.(P) 953/86/Fin., dt. 27-12-1986]

This amendment shall be deemed to have come into force with effect from 16<sup>th</sup> December, 1983.

## SECTION XI C - LEAVE FOR THE PURPOSE OF STUDY FOR THOSE INELIGIBLE FOR LEAVE UNDER RULE 88 OR RULE 91 OF PART I

- 110 C.** Rules for the grant of leave for study purpose for those ineligible for leave under Rule 88 or Rule 91 of Part I are given in Appendix XII B. [G.O.(P) 654/95/Fin., dt. 10-10-1995]

This amendment shall be deemed to have come into force with effect from 18<sup>th</sup> September 1984.

## SECTION XI D – LEAVE FOR JOINING SPOUSE

- 110 D.** Rule for the grant of leave without allowances for the purpose of joining spouse are given in Appendix XIIC. [G.O.(P) 1002/97/Fin., dt. 6-11-1997]

This amendment shall be deemed to have come into force with effect from 12<sup>th</sup> April 1984.

## SECTION XII - CASUAL LEAVE

- 111.** Rules regarding Casual Leave to Officers are given in Appendix VII.

## SECTION XIII - PROCEDURE RELATING TO LEAVE

- 112.** A leave account shall be maintained for each officer.  
*Note—* Leave account of a Gazetted Officer will be maintained by the Audit Officer. The leave account of a non-gazetted officer will be maintained by the Head of the Office in which he is employed.
- 113.** An application for leave or an extension of leave must be made to the authority competent to grant such leave or extension in Form No. 13.
- 114.** Leave to officers on foreign service in India will be sanctioned by the foreign employer. [G.O. (P) 228/76/Fin., dt. 2-8-1976]
- 115.** Medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the officer concerned will never be fit to resume his duties. In such cases the opinion that the officer is permanently unfit for Government service should be recorded in the Medical Certificate.
- 116.** Every certificate of a medical committee or a medical officer recommending the grant of leave to an officer must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the officer under the terms of his contract or of the rules to which he is subject.

117. Before an officer can be granted leave or an extension of leave on medical certificate, he must obtain a certificate in the following form from such medical authority as the Government may by general or special order prescribe.

**Medical Certificate**

[G.O.(P)430/73/Fin.,  
dt. 20-11-1973]

.....  
(Signature of the applicant)

I (Name) ..... after careful personal examination of the case hereby certify that (Name and official address) ..... whose signature is given above, is suffering from ..... and that I consider that a period of absence from duty of ..... with effect from ..... is absolutely necessary for the restoration of his/her health.

Signature of Medical Officer.....

Registration No. ....

Part of Registration .....

System of Medicine .....

*Note 1.*-The possession of a certificate as prescribed in this rule does not in itself confer upon the officer concerned any right to leave.

*Note 2.*-The nature and probable duration of the illness should be specified.

*Note 3.*-This form should be adhered to as closely as possible, and should be filled in after the signature of the applicant has been taken. The certifying officer is not at liberty to certify that the applicant requires a change to (or from) a particular locality, or that he is not fit to proceed to a particular locality. Such certificate should only be given at the explicit desire of the administrative authority concerned, to whom it is open to desire when an application on such grounds has been made to him, whether the applicant should go before a Medical Board to decide the question of his fitness for service.

*Note 4.*-No recommendation contained in this certificate shall be evidence of a claim to any leave not admissible to the officer under the terms of his contract or of the rules to which he is subject.

*Note 5.*-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 free of cost by a Medical Board or a Medical Officer employed under the Government of the State concerned for purposes of grant or extension of leave and fitness to resume duty on the expiry of leave. A medical requisition from the competent authority will be required before the medical examination is conducted.

**Government Decision**

For the purpose of this rule, the Medical Certificates issued by the following medical authorities will be accepted provided that the certificates are in accordance with the provisions of the above rule :-

[G.O.(P)512/61/Fin.,  
dt. 27-12-1961]

1. Medical Officers of Government not below the rank of an Assistant Surgeon.
2. Private Medical Practitioners of Modern Medicine registered in Part A of the register of Modern Medicines.
3. Ayurveda Physicians and Homeopathic Doctors attached to Government Hospitals and Dispensaries.

4. Private Practitioners of Indigenous Medicines registered in Class A of the Register of Indigenous Medicines; and
5. Private Homeopathic Practitioners registered in Class A of the Register of Homeopathic Medicines.

Notwithstanding anything contained herein, in the case of applications for 'leave not due' under Rule 85, Part I, Kerala Service Rules, Medical Certificate granted by the authorities mentioned in items 1 and 3 alone shall be accepted.

- \*118.** (a) In the case of certificate issued by an Assistant Surgeon, Ayurvedic Physician or Homeopathic Doctor attached to a Government Hospital or Dispensary or a private Practitioner of **\*\*Modern**, Indigenous or Homeopathic Medicine, the authority competent to sanction leave may at its discretion, secure a second medical opinion by requesting a Civil Surgeon, District Indigenous Medical Officer or the Chief Medical Officer, †Department of Homeopathy as the case may be, to have the applicant medically examined. Should it decide to do so, it must arrange for the second examination to be made on the earliest possible date after the date on which the first medical opinion was given.
- \*[G.O.(P) 118/65/Fin.,  
dt. 3-4-1965]
- \* [G.O. (P) 405/76/Fin.,  
dt. 28-12- 1976]
- † [G.O. (P) 192/76/Fin.,  
dt. 8-7-1976]
- (b) It shall be the duty of the Civil Surgeon, the District Indigenous Medical Officer or the Chief Medical Officer, \*Department of Homeopathy as the case may be, to express an opinion, both as regards the facts of the illness and as regards the necessity for the amount of leave recommended. For this purpose, he may require the applicant to appear either before himself or before a Medical Officer nominated by him.
- \*[G.O.(P) 192/76/Fin.,  
dt. 8-7-1976]
- (c) If the authority competent to sanction leave has doubts about the second medical opinion also he may refer the case to the Medical Board, constituted by the Director of Health Services on requisition.
- 118 A.** When the competent authority has genuine doubts about the fitness of an officer, it may refer him to a single man Medical Board or the standing Medical Board, for expert medical opinion. If the medical report is that the officer is not physically fit or mentally sound, the officer may be deemed to have entered on eligible leave from the date of the medical report, even if the officer does not put in a leave application. If he does not produce a certificate from the Medical Board that he is physically fit or mentally sound and has been cured of his illness within a period of five years from the date on which he was deemed to have entered on leave, he may be deemed to have retired on invalid pension. If the actual date of retirement of the officer falls within this period of five years he shall retire on that date.
- Note*—Eligible leave means leave due and admissible to an officer and the order of sanctioning this leave will be earned leave and half-pay leave \*or commuted leave. If there is no eligible leave, leave without allowance will be granted to regularise the period of absence.
- [G.O. (P) 233/76/Fin.,  
dt. 4-8-1976]
- \*[G.O. (P) 839/92/Fin.,  
dt. 4-11-1992]
- 119.** In support of an application for leave, or for an extension of leave, on medical certificate, from an officer of the last grade, the authority competent to grant the leave may accept such certificate as it may deem sufficient.
- 120.** No leave may be granted to a Gazetted Officer until a report as to the admissibility of the leave has been obtained from the audit officer.
- 121.** In cases where all applications for leave cannot, in the interest of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take

into account the following considerations :-

- (a) The officer who can, for the time being , best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.
- (d) The fact that any such applicant was compulsorily recalled from his last leave.
- (e) The fact that any such applicant has been refused leave in public interest.

**122.** (i) When a medical authority has reported that there is no reasonable prospect that a particular officer will ever be fit to return to duty, leave should not necessarily be refused to such officer. It may be granted, if due, by a competent authority on the following conditions:-

- (a) If the medical authority is unable to say with certainty that the officer will never again be fit for service, leave not exceeding twelve months in all may be granted. Such leave should not be extended without further reference to a Medical Board.
- (b) If an officer is declared by a medical authority to be completely and permanently incapacitated for further service, leave or an extension of leave may be granted to him after the report of the medical authority has been received, provided that the amount of leave as debited against the leave account together with any period of duty beyond the date of the medical authority's report does not exceed six months.

(ii) An officer who is declared by a medical authority to be completely and permanently incapacitated for further service shall—

- (a) If he is on duty, be invalidated from service from the date of relief of his duties, which should be arranged without delay on receipt of the report of the medical authority. If, however, he is granted leave under sub-rule (i) above he shall be invalidated from service on the expiry of such leave; and
- (b) if he is already on leave, he is invalidated from service on the expiry of that leave or extension of leave, if any, granted to him under sub-rule (i).

**123.** Leave shall not be granted to an officer whom a competent authority has decided to dismiss, remove or compulsorily retire from Government service.

**124.** An officer returning from leave is not entitled, in the absence of specific orders to that effect, to resume as a matter of course, the post which he held before going on leave. He must report his return to duty and await orders.

**Government Decision No. 1**

Whenever an order sanctioning leave to an officer is issued and communicated, it should contain directions as to where the officer should rejoin duty on the expiry of the leave, any change that may take place in the position of the officer during the period of leave being also communicated to the authorities concerned under intimation to the Accountant General wherever necessary.

[Circular No. Fin., R.A.  
33409/60, dt. 8-8-1960]

**Government Decision No. 2**

An officer on leave should intimate sufficiently early his intention of rejoining duty after leave so as to avoid any possible delay in the issue of posting orders in time.

[G.O.(P) 558/62/Fin.,  
dt. 12-11-1962]

CHPATER X  
JOINING TIME

- 125.** Joining time may be granted to an officer to enable him—
- (a) to join a new post to which he is appointed while on duty in his old post; or
  - (b) to join a new post,-
    - (i) on return from earned leave;
    - (ii) When he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in Sub-clause (i)

*Note 1.*—An officer deputed for training will be allowed for the onward and return journeys, the time actually required for the journeys, by the usual mode of conveyance, between the place of training and the station from/to which he proceeds, and the time so taken will be treated as part of deputation period for training.

*Note 2.*—Probationers and approved probationers in one service (including other officiating officers for whom no probation has been prescribed) when appointed to the same or another service by direct recruitment shall be allowed the minimum joining time (i.e., actual journey time) and transit pay, provided that the posts held by them prior to transfer or the posts to which they are appointed remain vacant during the period. They shall not, however, be allowed Travelling Allowance.

[Effective from 22<sup>nd</sup> August 1960]

**Ruling No. 1**

Joining time under Rule 125 (b) (i), Part I, Kerala Service Rules, will be admissible only in cases where an officer has proceeded on and has returned from earned leave proper and is posted to join a new post. In all other cases, it should be regulated under sub-clause (b) (ii) *ibid*.

**Ruling No. 2**

A gazetted officer deputed for training should relinquish charge of his post and prepare a charge report even if no officiating arrangement is made in his place. He should also intimate to the Audit Officer concerned, through the Training Institute/Officer, etc., the date and hour of reporting for training and on relief on the completion of training.

**Government Decision**

Retired officers re-employed in Government service will be treated on par with provisional hands appointed under General Rule 9 (a) (i) of the Kerala State and Subordinate Services Rules, 1958 for purposes of joining time and only the actual journey time allowed as joining time.

[G.O.(Ms) 11/67/PD.,  
dt. 17-1-1967]

- 126.** Not more than one day is allowed to an officer in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday or Sunday counts as a day for the purpose of this rule. No joining time is admissible in cases where the change of post does not involve an actual change of office.

*Note.*—A transfer shall be held to involve a change of station only if the distance between the two places is not less than eight kilometres.

[G.O.(P)48/66/Fin.,  
dt. 10-2-1966]

- 126A.** When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s).

**Ruling**

When officers are transferred while on leave, joining time need be reckoned only from the date following the holiday(s), if any, suffixed to leave with the permission of the leave sanctioning authority unless otherwise directed in the transfer order.

[G.O.(P)38/73/Fin.,  
dt. 5-2-1973]

- 127.** The joining time of an officer, in cases involving a transfer from one station to another, is subject to a maximum of 30 days. Six days are allowed for preparation and, in addition, a period to cover the actual journey calculated as follows: -

- (a) An officer is allowed—
- |  |                |                                     |
|--|----------------|-------------------------------------|
| (i) For the portion of the journey which he travels by aircraft        | }              | Actual time occupied in the journey |
| (ii) For the portion of the journey which he travels or might travel : |                |                                     |
| By railway   | 500 kilometres | }                                   |
| By ocean steamer   | 350 kilometres |                                     |
| By river steamer   | 150 kilometres |                                     |
| By motor vehicles  | 150 Kilometres |                                     |
| Or by conveyance plying for public hire in any other way               | 25 kilometres  |                                     |
- One day for each or any longer time actually occupied in the journey.
- (b) (i) For purposes of journey by air under clause (a) (i), a part of a day should be treated as one day.
- (ii) A day is also allowed for any fractional portion of any distance prescribed in clause (a) (ii).
- (c) When part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.
- (d) Travel by road not exceeding eight kilometres to or from a railway station or steamer ghat at the beginning or end of journey does not count for joining time.
- (e) A Sunday does not count as a day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days.

*Exception 1.*—The authority sanctioning the transfer may, in special circumstances, reduce the period of joining time admissible under this rule.

*Exception 2.*—In the case of officers who are entrusted with the custody of stores, a period of not more than ten days and in the case of officers in charge of Timber Depots of the Forest Department a period of not more than one week will be allowed for transfer of charge of check conjointly stores and other materials, the minimum time actually required in each case alone being, however, utilised for the purpose.

*Exception 3.*—A period of not more than one week will be allowed to Forest Guards for transfer of charge and joint perambulation of the beats, the minimum time actually required alone being, however, utilised for the purpose. This period will be treated as an extension of joining time in respect of the relieving officer.

- 128.** Except in the case of a journey performed by air, by whatever route an officer actually travels, his joining time shall, unless a competent authority for special reasons otherwise orders, be calculated by the route which travelers ordinarily use.

**Government Decision**

Except in cases of journeys performed by air, which will be covered by the provisions in sub-rule (a) of Rule 127, the entitlement to joining time of a Government servant, in cases where his old headquarters and new headquarters are connected by railway, should be calculated as admissible for a journey by railway.

[G.O.(P) 52/66/Fin.,  
dt. 14-2-1966]

- 129.** If an officer is authorised to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

- 130.** If an officer is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

*Note.*—A second period of 6 days for preparation should not be allowed in calculating the joining time of an officer who is appointed to a new post, while in transit from one post to another.

**Government Decision**

In the case of a Government servant who is transferred from one post to another but whose transfer is subsequently cancelled after he has handed over charge of his old post but before he could take charge of the new post, the period intervening between the date of handing over charge of the old post and taking over the same later on account of cancellation of transfer orders, should be treated as joining time, subject to the provisions of Rule 130 and the Note thereunder.

[G.O.(P) 461/68/Fin.,  
dt. 24-8-1968]

- 131.** If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave. On the expiry of the leave, the Government servant may be allowed normal joining time.

- 132.** If an officer is appointed to a new post while on earned leave he is entitled to joining time calculated from his old station in addition to the earned leave. Should the officer join the new appointment before the expiry of leave plus joining time admissible, the period short taken should be considered as leave not enjoyed and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. When vacation or holidays immediately preceding vacation begin during or immediately after the expiry of joining time admissible to an officer or when an officer is transferred during vacation, he may be allowed to join at the end of the vacation.

- 133.** The Government may in any case extend the joining time admissible under these rules, provided that the general spirit of the rules, is observed.

- 134.** Within the prescribed maximum of 30 days, the Government may, on such conditions as it thinks fit, grant to an officer a longer period of joining time than is admissible under the rules in the following circumstances:-
- (a) When the officer has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or
  - (b) When such extension is considered necessary for the public convenience or for the saving of such public expenditure as is caused by unnecessary or purely formal transfers; or
  - (c) When the rules have in any particular case operated harshly; as for example, when an officer has, though no fault on his part missed a steamer or fallen sick on the journey.

- 135.** When an officer under the administrative control of the Government is transferred to the control of another Government which has made rules prescribing amounts of joining time, his joining time for the journey to join his post under the Government, and for the return journey will be governed by those rules.

- 136.** A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He shall also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances, and house rent allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or Permanent Travelling Allowance.

[G.O.(P) 1010/87/Fin.,  
dt. 27-11-1987]

*Note.*—An Officer on transfer is not entitled for joining time unless his transfer is made in the public interest. However, in cases of transfers on request, an officer shall be paid joining time pay and allowances at the rate admissible under this rule for the period spent in travelling to join the new post and if he could not take charge on the new post on the day on which he is to join consequent on that day being declared a holiday, then, for that day also.

*Explanation.*—There is no objection to an officer being granted regular leave by the competent authority under the leave rules applicable to him even if the transfer is at his own request to cover the period of handing over charge at an old station and before taking over charge at another if the officer applied for it and the competent authority is willing to grant such leave.

- 137.** An officer who does not join his post within his joining time, is entitled to no pay or leave salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehavior for the purpose of Rule 21.

#### **Government Decision**

The period of overstay of joining time of an officer may be regularised by granting eligible leave under Rule 131, Part I, Kerala Service Rules and the Joining time pay regulated under Rule 136 (b) *ibid*

- 138.** A person, in employment other than Government service or on leave granted from such employment, if in the interest of Government, is appointed to a post under the Government may, at the discretion of Government, be treated as on joining time while he prepares for and makes the journey to join the post under Government and while he prepares for and makes the journey on



reversion from the post under Government to return to his original employment. During such joining time he shall receive pay equal to the pay, or in the case of joining time immediately following leave granted from the private employment, to the leave salary paid to him by his private employer prior to appointment to Government service, or pay equal to the pay of the post in Government service, whichever is less.

## CHAPTER XI FOREIGN SERVICE

- 139.** The rules, in this chapter apply to those officers only who are transferred to foreign service after these rules come into force. Officers transferred previously will remain subject to the rules in force at the time of transfer.

### **Government Decision**

In cases where the deputation of an officer to foreign service was sanctioned on a date prior to 1<sup>st</sup> November 1959 and the terms originally fixed extend beyond 1<sup>st</sup> November 1959, no change in the terms need be made even if the officer has opted to the Kerala Service Rules, but extension of the period beginning from or after 1<sup>st</sup> November 1959 should conform to the provisions in the Kerala Service Rules, provided the officer concerned has opted to the Kerala Service Rules, the extension of the term being treated as a fresh case of deputation.

[Circular No.  
66494/RA3/61/Fin.,  
dt. 14-10-1961]

- 140.** (a) No officer may be transferred to foreign service against his will:

[G.O.(P)254/70/Fin.,  
dt. 27-4-1970]

Provided that this sub-rule shall not apply to the transfer of an officer to the service of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government.

- (b) A transfer to foreign service requires the sanction of the Government.

\*No officer shall normally be allowed to remain on deputation to foreign service for more than five years continuously. Provisions of Rule 24 will apply to an officer who continues in foreign service for more than five years at a time.

\*Effective from 17<sup>th</sup> December 1976.

- 141.** A transfer to the foreign service is not admissible unless –

- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by an officer of Government, and
- (b) the officer transferred holds, at the time of transfer, a permanent or temporary appointment paid from the General Revenues or holds a lien on such an appointment or would hold a lien on such a post had his lien not been suspended.

- 142.** If an officer is transferred to foreign service while on leave, he ceases from the date of such transfer to be on leave and to draw leave salary.

- 143.** An officer transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer, and may be given such

substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. In giving promotion, such authority shall take into account

- (a) the nature of the work performed in foreign service, and
- (b) the promotion given to juniors in the cadre in which the question of promotion arises.

**144.**

An officer in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government Service. Subject to any restrictions which the Government may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

*Note 1.*-When transfer to foreign service is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration, or enjoy any concession of pecuniary value, in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No officer will be permitted to receive any remuneration or enjoy any concession which is not so specified, and if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

*Note 2.*-No order of transfer to foreign service shall be issued without previous consultation with the Finance Department. It shall be open to that department to prescribe by general or special order, cases in which its consent may be presumed to have been given.

*Note 3.* In all cases of foreign service where the headquarters of the officer is located within Kerala, deputation allowance shall be granted at the rate of 10 per cent of the basic pay of the officer concerned.

[G.O.(P)1109/87/Fin.,  
dt. 23-12-1987]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> September 1985

Provided that no deputation allowance shall be granted for the period in excess of five years to an officer even if deputation is allowed to continue beyond 5 years continuously.

[G.O.(P)102/93/Fin.,  
dt. 10-2-1993]

\*In cases where the headquarters of the officer is outside Kerala and the deputation is to institutions/bodies aided by Government industrial undertakings in which Government hold majority of shares and also undertakings which are managed by Government, the deputationist's pay in foreign service shall not exceed his basic pay in Government service by more than 50 per cent or Rs.300 whichever is less.

[G.O.(P)254/70/Fin.,  
dt. 22-4-1970]

\*Effective from 17<sup>th</sup> December 1966.

Provided further that such pay in foreign service shall not exceed the basic pay in Government service by more than 50 percent or Rs.300 whichever is less.

[G.O.(P)128/65/Fin.,  
dt. 8-4-1965]

This proviso shall apply also to cases of extension of deputation to foreign service sanctioned from 8<sup>th</sup> April 1965.

*Note 4.* Specific terms in regard to Travelling Allowance to be allowed to officers for journeys on transfer to foreign service and on reversion therefrom should invariably be prescribed in consultation and agreement with the foreign employer.

*Note 5.* - An officer who is eligible for concessions in regard to medical attendance for himself or his family should not be transferred to foreign service,

unless the foreign employer undertakes to afford to the officer privileges not inferior to those which he would have enjoyed if he had been employed in the service of Government

*Note 6.* No officer to whose children educational concessions are admissible, should be transferred to foreign service, unless the foreign employer undertakes to afford these privileges which the officer would have enjoyed had been employed in the service of Government.

[G.O.(P) 621/70/Fin.,  
dt. 1-9-1970]

*Note 7.* The transit pay and allowances and transfer Travelling Allowance of a Government servant who proceeds on transfer from one foreign employer to another without reverting to Government service should be borne by the foreign employer to whom the Government servant proceeds on transfer.

Effective from November 24, 1967

### **Government Decision**

The Heads of Departments, while proposing the deputation of officers to foreign service and the sections of the Secretariat while sanctioning such proposals, will attach to the proposals or sanctions, as the case may be, a separate statement giving the following details :-

(Circular Memorandum  
No. 42765/Rules-  
3/62/Fin., dt. 15-9-1962)

- (i) Name of the Government servant
- (ii) Date of Birth
- (iii) To whom lent
- (iv) Official designation (post held substantively before transfer)
- (v) Scale of pay of the post in Government service held substantively by the officer
- (vi) Head of account to which pay was debitible before transfer
- (vii) Monthly rate of pay sanctioned in foreign service
- (viii) Service rules applicable
- (ix) Rate of monthly contributions provisionally fixed under rule:
  - (a) Leave salary
  - (b) Pension
- (x) When lent
- (xi) Where to be recovered
- (xii) Whether creditable to State or Central
- (xiii) Date of termination of foreign service.

### **Ruling No. 1**

An officer holding a provisional appointment deputed to foreign service, will be allowed to draw, in foreign service, the pay and allowances attached to the provisional appointment, only if it is certified by the competent authority that the officer would have held the provisional appointment but for his deputation to foreign service.

### **Ruling No. 2**

- (i) For the period from 1-7-1978 to 30-4-1979, Officers on deputation will be allowed deputation allowance at the rates prescribed in the concerned Government Order by which the deputation was sanctioned based on their pre-revision pay in Government Service.

[G.O.(P) 359/81/Fin.,  
dt. 4-6-1981]

- (ii) Those who continue to draw pay in the pre-revision scale on 1-5-1979 are eligible for deputation allowance from 1-5-1979 at the rates specified in Note 3 above. But the minimum of the revised scales of the posts from which they are deputed, will be the basis for determining the rate of deputation allowance. "Pay in the pre-revision scale" means the pay of the Officer concerned in the scale of pay as it stood as on 30-6-1978.

- 145.** (a) While an officer is in foreign service contribution towards the cost of his pension and leave salary must be paid to General Revenues on his behalf.
- (b) Contributions due under clause (a) above shall be paid by the officer himself, unless the foreign employer consents to pay them. They shall be payable during leave taken while in foreign service.

*Note.*- A copy of the orders sanctioning an officer's transfer to foreign service must always be communicated to the Audit Officer. The Officer himself should, without delay, communicate a copy to the officer who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution; report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return from foreign service; and furnish from time to time particulars regarding his pay in foreign service, leave taken by him, his postal address, and any other information which that officer may require.

- 146.** Recovery of pension contribution in respect of Government servants on deputation to foreign service shall be at the rate of 15 per cent of the maximum of the scale of pay of the post from which deputation is sanctioned. If the scale of pay is revised or the Government Servant gets promotion in the present department the recovery shall be at the rate of 15 per cent of the maximum of the revised scale of pay or the scale of pay of the post to which the officer is promoted in the parent department, as the case may be.

[ G.O. (P) 742/84/Fin.,  
dt. 15-12-1984]

The leave salary contribution shall be 10 percent of the maximum of the scale of pay of the post of the deputationist in the parent department. If the scale of pay is revised or the Government servant gets promotion in the parent department, the recovery shall be at 10 percent of the maximum of the revised scale of pay or the scale of the post to which the officer is promoted in the parent department, as the case may be.

The combined rate of leave salary and pension contribution shall be 25 per cent of the maximum of the scale of pay.

Contribution shall be paid for the actual period of duty in the foreign service including all kinds of leave taken while on foreign service. Contribution shall be paid for each calendar month or part thereof and no contribution shall be paid for the periods of joining time.

*Note.*- Leave salary contribution will not be realised in respect of Government officers serving on deputation on foreign service terms, in undertakings which are owned or controlled by the State Government. If the officer avails of leave while on such foreign service, the full expenditure should be borne by the concerned foreign employer and if the officer avails of leave after return from the foreign service, the expenditure should be borne by the Government.

[G.O.(P)169/83/Fin.,  
dt. 6-4- 1983]

This Note shall be deemed to have come into force with effect from 1<sup>st</sup> April 1982.

**Government Decision.**

Leave salary and pension contribution will be recovered in whole rupees, fractions equal to 50 paise being rounded off to the next higher rupee. Rounding off will be done (1) at the initial stage while calculating the rates of monthly contributions, (2) while recovering contributions for part of a month at the beginning or at the end of foreign service and (3) where rates of monthly contributions are refixed due to a change in the rates of pay, deputation allowance, etc., and the total contribution recoverable for a calendar month are not in whole rupees.

[G.O.(P)883/70/Fin.,  
dt. 2-12-1970]

This decision will take effect from 1<sup>st</sup> August 1970, i.e., in respect of contributions for August 1970 recoverable in September 1970.

147.

The rate of pension and leave salary contribution prescribed in Rule 146 is to secure the officer the pension that he would have earned by service under the State Government if he had not been transferred to foreign service and the leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible for earned leave alone, the pay drawn in foreign service less, in the case of officers paying their own contributions, such part of the pay as may be paid as contribution, will count as pay for the purpose of leave salary; provided that the difference between the amount of leave salary that would have been admissible to the officer had he remained in Government Service and the amount of leave salary admissible as aforesaid, shall be recovered from the foreign employer.

*Note 1.*-As the rates prescribed for such contribution have been calculated on the basis of the leave on full or half pay normally taken by an officer during the total period of his services and do not take into account any compensatory allowance which may form part of leave salary, the whole expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer and a condition to this effect should be inserted in the terms of transfer to foreign service.

\* [G.O. (P) 491/75/Fin.,  
dt. 24-10- 1975]

*Note 2.*-The foreign employers should in the case of officers transferred to foreign service accept liability of leave salary in respect of disability leave granted on account of a disability incurred in and through foreign service even though such disability manifests itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers, a condition to this effect being inserted in the terms of transfer to foreign service.

*Note 3.*-Leave salary in respect of maternity leave granted to and enjoyed by a female Government servant while in foreign service will be borne by the foreign employer.

[G.O. (P) 21/66/Fin.,  
dt. 17-1-1966]

**Government Decision No.1**

In the case of an officer who takes leave on the conclusion of foreign service before rejoining his post, the leave salary should be calculated taking into account the pay drawn in foreign service also and the difference in leave salary should be recovered from the foreign employer as provided in the above rule. Orders sanctioning deputation to foreign service should specifically include a provision for the recovery of difference in the leave salary from the foreign employer. Leave salary in respect of leave taken after rejoining duty under Government shall be governed by the provisions in Rules 92 to 95 above.

[G.O.(P)491/75/Fin.,  
dt. 24-10-1975]

However the recovery contemplated above will not apply in respect of officers on deputation on foreign service terms to undertakings which are owned or controlled by the Government, in whose case no leave salary contributions will be realised.

[G.O.(P) 214/85/Fin.,  
dt. 11-4-1985]

**Government Decision No. 2**

When a Government servant is transferred to foreign service in India, an extract of the leave account of the Government servant will be furnished to the foreign employer by the Accountant General in respect of Gazetted Officers and by the Head of Office in respect of Non-Gazetted Officers so that the foreign employer may determine the leave admissible to the Government servant and the leave salary payable to him. Whenever leave is granted by the foreign employer a copy of the orders granting leave to the Government servant may be endorsed by the foreign employer to the Accountant General in respect of Gazetted Officers and to the Head of the office of the parent department in the case of Non-Gazetted Officers. The foreign employer will pay the leave salary which will be reimbursed to him by the Accountant General in the case of Gazetted Officers and by the Head of the Office (of the parent department) in the case of Non-Gazetted Officers. The claim for the reimbursement of leave salary thus paid by the foreign employer may be made half yearly for the period from April to September and October to March. While sending the claim to the Accountant General or Head of Office concerned, the foreign employer will give the name and designation of the Government servant, nature and period of leave sanctioned, the number and date of sanction, rate of leave salary and amount of leave salary paid. On receipt of the claim from the foreign employer the Accountant General or Head of Office will verify the claim with reference to the entries in the leave account and arrange to reimburse the amount by means of a bank draft within a month of receipt of the claim. The expenditure will be debited to the head of account to which the leave salary is debitable. It should be noted that in both cases, the amount of leave salary to be reimbursed to the foreign employer will be the leave salary (excluding Dearness Allowance and other compensatory allowance) to which the Government servant would have been eligible but for foreign services as the difference between the leave salary to which the officer is eligible and that he would have received but for foreign services together with Dearness Allowance and other compensatory allowance is to be finally borne by the foreign employer.

[G.O.(P)229/76/Fin.,  
dt. 2-8-1976]

- 148.** The Government may \_\_\_
- a) remit the contributions due in any specified case or class of cases, and
  - (b) make rules prescribing the rate of interest, if any, to be levied on overdue contributions.
- 149.** An officer in foreign service may not elect to withhold contributions and forfeit right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension, or to pension and leave salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid and no claim for refund can be entertained.
- 150.** Contribution for leave salary or pension, due in respect of an officer on foreign service, may be paid annually within fifteen days from the end of each \*calendar year or at the end of the foreign service, if the foreign service expires before the end of a \*calendar year, and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by Government, at the rate of two paise per day

\*[G.O.(P)742/84/Fin.,  
dt. 15-12-1984]

per Rs.100 from the date of expiry of the period aforesaid upto the date on which the contribution is finally paid. The interest shall be paid by the officer or the foreign employer according as the contribution is paid by the former or the latter.

151. An Officer transferred to foreign service may not without the sanction of the Government accept a pension or gratuity from his foreign employer in respect of such service.
152. An officer in foreign service may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

*Exception-* An officer on foreign service out of India may be granted leave by the foreign employer on such conditions as he may determine. In any individual case, the authority sanctioning the transfer may determine beforehand, in consultation with the foreign employer, the conditions on which leave will be granted by him. The leave salary in respect of leave granted by the foreign employer will be paid by him and the leave will not be debited against the officer's leave account.

[G.O.(P) 390/66/Fin.,  
dt. 20-8-1966]

This exception shall be deemed to have come into force with effect from 1<sup>st</sup> March 1965.

*Note.-* An officer on foreign service is himself personally responsible for the observance of the rules regarding leave in foreign service, by accepting leave to which he is not entitled under the rules, he renders himself liable to refund leave salary irregularly drawn, and in the event of his refusing to refund, he forfeits his previous service under Government and ceases to have any claim on Government in respect of either pension or leave salary.

#### **Government Decision No. 1**

\*[Deleted]

#### **Government Decision No. 2**

\*[Deleted]

\*Effective from 30<sup>th</sup> May 1996.

\*[G.O.(P) 477/97/Fin.,  
dt. 1-4-1997]

153. An Officer in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

154. An Officer reverts from foreign service to Government service on the date on which he takes charges of his post in Government service; provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Government may decide.

[G.O.(P)250/83/Fin.,  
dt. 11-5-1983]

As and when an order transferring a non-gazetted employee to foreign service is issued by the competent authority, the head of the office where the employee is then working should make an entry in his Service Book regarding the transfer to foreign service. The head of office should simultaneously furnish to the Accountant General information regarding the date of relief of the transferred officer, his pay, date of his next increment, scale of pay

of post held by him at the time of relief etc. Based on the sanction and particulars received from the head of office, the Accountant General will intimate the departmental officer concerned and the foreign employer the foreign service account number assigned to the transferred officer and the rate of foreign service contribution recoverable in his case. On receipt of the communication, the head of office should note in the Service Book the rate of contribution as fixed by the Accountant General. At the time of reversion of the employee from foreign service, the head of the office to which he is posted should intimate the Accountant General the date of his rejoining State Service and the date of termination of his foreign service as fixed under Rule 154, Part I, Kerala Service Rules. On receipt of the sanction reverting the officer to State Service and the particulars about his rejoining duty, the Accountant General will check whether the foreign service contributions have been recovered in full. As and when the recovery is completed, the Accountant General will send to the head of the office in which the Government servant is working at that time a communication showing the position about the recovery of contributions; a copy of it will be simultaneously endorsed to the employee also. On the strength of this communication, the head of the office should make an entry in the Service Book regarding the position about the recovery of foreign service contributions, giving reference to the communication received from the Accountant General. The letter received from the Accountant General in this regard should be kept in the Service Book itself for facilitating future reference. The head of the office and the employee concerned should acknowledge the receipt of the communication regarding recovery of contributions. Based on the entries in the Service Book made by the head of the office and copies of the Accountant General's communications kept in the Service Book, the employee's pension claims will be settled by the Accountant General at the time of his retirement. In the event of any dispute arising later about the recovery of contributions for want of necessary entries in the Service Books, the employee concerned may produce his copy of the communication received from the Accountant General as proof of recovery. On production of his copy of the communication, the Accountant General will verify the matter and settle his claims accordingly.

While laying down the above procedure, Government would like to impress upon all departmental officers that the responsibility for making entries relating to foreign service in the Service Book of the Non-Gazetted Officers rests with them.

[G.O.(P)250/83/Fin.,  
dt. 11-5-1983]

Effective from 1<sup>st</sup> June 1983.

- 155.** When an officer reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer and his contributions will be discontinued with effect from the date of reversion.
- 156.** When an addition is made to a regular establishment on the condition that its cost or a definite portion of its cost, shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules: -
- a) The amount to be recovered shall be the gross sanctioned cost of the service or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.



- b) The cost of the service shall include contribution at such rates as may be laid down under Rule 146 and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- c) The Government may reduce the amount of recoveries or may entirely forgo them.

*Note.*- The term 'gross sanctioned cost of service' shall include dearness and other compensatory allowances and bonus/special festival allowance. The monthly component of bonus/special festival allowance, shall be worked out at  $\frac{1}{12}$ th of the last declared bonus/special festival allowance, for effecting recovery on a monthly basis.

[G.O. (P) 787/92/Fin.,  
dt. 29-10-1992]

### Government Decision

The procedure for the recovery of the cost of an establishment will be as follows :-

- (i) *Gross Sanctioned cost of the service.*- This will include the "average cost" of the several posts included in the establishment together with the Dearness Pay, Dearness Allowance, Special Dearness Allowance, Personal Pay/Special Pay, \*Bonus/Special Festival Allowance\* and other Compensatory Allowance admissible on the "average cost" for this purpose will be calculated according to the formula given under Rule 12 (35), Part I, Kerala Service Rules.
- (ii) *Pension and leave salary contribution.*- This contribution in respect of a post will be worked out at one-fourth-of the total of the "average cost" plus Dearness Pay, Special Pay/Personal Pay \*and Bonus/Special Festival Allowance\* admissible on the average cost.

\*Effective from 29<sup>th</sup> October 1992

[G.O.(P) 446/93/Fin.,  
dt. 24-8- 1993]

- (iii) *Calculation of average age at entry in the grade.*-

- (a) *In grades where direct recruitment is generally made.*- If the recruitment is generally made between 18 and 24/25 years, for example, the age of entry can with advantage be adopted uniformly as 21, instead of calculating it on the basis of age of entry of all persons in service on a date or recruited during a specified period which would involve unnecessary labour not yielding commensurate advantage. The average cost thus worked out on the above basis may hold good till there is a revision of scales or other conditions of service, e.g., age of retirement, etc.

(Circular No. 62/63/Fin.,  
dt. 9-8-1963

&

No. 5/64/Fin.,  
dt. 16-1-1964)

- (b) *In grades where appointments are generally made by promotion but occasionally direct recruitment is also resorted to.*- The factor of age of entry would in this case be depending on the incidence of promotion in individual establishment and no uniform age of entry can therefore be indicated. To get more accurate result the age of entry may be arrived at in these cases on the basis of the age of entry of all persons in service in that grade on 1<sup>st</sup> April of the year in which the occasion to calculate the average cost arises. As the basis of average cost itself is somewhat approximate, a change in the age of entry from year to year is of little consequence and therefore the age of entry thus arrived at and for that matter the average cost worked out on that basis, may hold good for a reasonable period, say 5 years, after which it may be reviewed, unless there is a general revision of the scales of pay or conditions of services in the meantime.

**SERVICE UNDER LOCAL FUNDS**

- 157.** Officers paid from Local Funds which are administered by Government are subject to the provisions of these service rules.
- 158.** The transfer of officers to service under Local Funds which are not administered by Government will be regulated by the rules in this chapter.
- 159.** Persons transferred to Government service from a Local Fund which is not administered by Government will be treated as joining a first post under Government and their previous service will not count as duty performed. The Government may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

**Ruling**

The pay of an officer transferred from a Local Fund Institution not administered by Government to Government service will be fixed at the minimum of the scale of pay of the post in Government service if the pay he was drawing under the Local Fund is less than the minimum. In case he was drawing, under the Local Fund, pay above the minimum and equal to a stage in the scale of pay of the post in Government service, his pay will be fixed at that stage and if the pay he was drawing under the Local Fund is not a stage in the scale of pay of the post in Government service it will be fixed at the next lower stage, the difference being treated as personal pay to be absorbed in future increases in pay. His next increment will ordinarily be allowed only after the full incremental period of duty in Government service.

## PART II

### TRAVELLING ALLOWANCES

#### CHAPTER I

#### SECTION I - GRADES OF OFFICERS

1. For the purpose of calculating Travelling Allowances, officers are classified into the following four grades :-

*First Grade.-* All officers in receipt of actual pay of †Rs.2000 and above, and officers belonging to All India Services, non-All India Service Officers holding posts borne on the cadre of All India Services, Heads of Departments and Officers of the Indian Army, Navy or Air Force appointed as Aides-de-camp to the Governor irrespective of the pay drawn by them.

*Second Grade.-* Other officers in receipt of actual pay of †Rs.1,000 or above but below †Rs.2,000.

*Third Grade .-* All other officers except Class IV Officers.

*Fourth Grade.-* Class IV Officers.

†This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> September 1985.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

*Note- 1.*-All Private Secretaries to Ministers and the Private Secretary to the Speaker will be treated as Grade I Officers from 28<sup>th</sup> June 1969 and 2<sup>nd</sup> September 1969 respectively for purposes of Travelling Allowances, irrespective of the pay drawn by them.

*Note.-2.*- For the purpose of calculating the T.A. for accompanying the Governor, Advisers or Ministers on tour, non-gazetted officers, other than those in the last grade, will be treated as Second Grade (b) officers irrespective of the "actual pay" drawn by them.

[G.O.(P) 438/68/Fin.,  
dt. 19-8-1968]

*Note 3.-* The term 'pay' occurring in this part of the rules should be deemed to include only - Pay as defined in Rule 12 (23 (i) and (iii) of Part I, Kerala Service Rules, and personal pay, dearness pay and special pay treated as coming under classes I and II under Appendix IV, Kerala Service Rules.

*Note 4.-* The classification of a re-employed pensioner for purposes of Travelling Allowances will be determined on the following basis –

- (a) Where the pension is held in abeyance during the period of re-employment, the grade of the re-employed pensioner shall be determined, in accordance with the pay actually received from time to time.
- (b) Where a pension is allowed to be drawn in addition to pay, the re-employed pensioner should be deemed to be in receipt of actual pay equivalent to his re-employed pay plus pension, subject to the proviso that if the sum of such pay plus pension exceeds the pay of the post if it is on a fixed rate of pay or the maximum pay of the post, if it is on a time-scale of pay, such excess shall be ignored.

- (c) If a portion of the pension has been commuted, the amount of pension to be taken into account for the purpose of clause (b) will be the amount including the pensionary equivalent of the commuted value. The amount of pension to be taken into account will also include the pension equivalent of the death-cum-retirement gratuity, if any.

*Note 5.* - With effect from 1<sup>st</sup> July 1978 officers in the scale of pay of Rs.290-425 will be treated as Third Grade Officers for purposes of Travelling Allowances. The above scale of pay of Rs.290-425 has been revised as Rs.575-900 with effect from 1<sup>st</sup> September 1985. Employees in the scale of pay of Rs.280-400 (1978 Pay Revision) alone will be treated as Class IV employees. The above scale of pay has been revised as Rs.500-800 in the 1983 General Pay Revision.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

2. The Government may, for reasons which should be recorded, order that any officer or grade of officers shall be included in a grade higher or lower than that prescribed in the above rule.
3. An officer in transit from one post to another ranks in the grade to which the lower of the two posts would entitle him.
4. The Travelling Allowance of an officer who is promoted or reverted with retrospective effect, should not be revised in respect of the period intervening between the date of promotion or reversion, and that on which it is ordered.

#### **Government Decision No. 1**

In all cases of belated grant of increments, other than those where such increments have been specifically withheld under competent orders, where the class or grade of officers for drawal of T.A. has been changed consequent on such belated grant of increments, the officers concerned will be eligible to draw the enhanced rate of T.A. with retrospective effect, i.e., from the date on which the increment has actually fallen due.

[G.O.(Ms.) 452/60/Fin.,  
dt. 21-9-1960]

#### **Government Decision No. 2**

In cases of belated issue of pay slips for ordinary increments, which do not depend on the passing of tests, completion of probation, retrospective confirmation, promotion, revision of pay scales, etc., but are delayed for some routine reason or other, the officers concerned will be eligible to draw the enhanced rate of T.A. with retrospective effect, i.e., from the date on which the increment has actually fallen due. But such claims for arrears of T.A will be paid by the Treasury Officers only after special audit by the Accountant General.

[G.O.(P.) 667/69/Fin.,  
dt.. 15-12-1969]

#### **Government Decision No. 3**

It is clarified that the above Decision No. 2 is applicable to all cases of belated issue of pay slips, when the delay in issue of pay slips is not due to any fault of the officer, i.e., it is only when increments are delayed on account of specific orders of competent authorities that the benefit contemplated in the above decision shall be denied.

[G.O.(P) 570/75/Fin.,  
dt. 22-12-1975]

### **SECTION II-GENERAL**

5. The following are the different kinds of Travelling Allowances which may be drawn in different circumstances by officers:-

- (a) Permanent Travelling Allowance
- (b) Conveyance Allowance
- (c) Mileage Allowance
- (d) Daily Allowance
- (e) Actual Travelling Expenses.

The Rules in this Chapter explain the nature of these allowances and the method of calculating them. The circumstances, in which they may be drawn for particular journeys, are described in Chapters II to IV.

#### **Government Decision No. 1**

The expressions 'road mileage' and 'mileage allowance' wherever they occur shall be assigned meaning as referring to distance in kilometres.

[G.O.(P) 36/64/Fin.,  
dt. 20-1-1964]

#### **Government Decision No. 2**

An Officer of Government required to attend meetings of the Board of Directors or Committees of an Industrial Concern or a Bank or a Joint Stock Company on behalf of Government shall receive T.A. and D.A. from Government according to rules. The officer should credit the entire T.A. and sitting fee paid by the Industrial Concern or Bank to the receipt head corresponding to the head of account to which his T.A. is debited. He will also forward to the Accountant General in advance a statement of T.A. and sitting fee to which he is entitled for attending such meetings in a month so as to enable the Accountant General to watch recovery. The practice of crediting to Government the T.A. received from the University of Kerala according to its rules and receiving T.A. according to State T.A. rules as laid down in G.O. (Ms.) 330/59/Fin., dated 29<sup>th</sup> June 1959 will be discontinued from 1<sup>st</sup> August 1960 in respect of Government officers travelling on University business and instead they will be allowed to receive T.A. direct from the University according to its rules.

[G.O.(Ms.) 370/60/Fin.,  
dt. 27-7-1960]

- 5A.** The right of a Government servant to Travelling Allowance including daily allowance shall be forfeited or deemed to have been relinquished if the claim for it is not preferred to the drawing officer or controlling officer within one year from the date on which it fell due.

[G.O.(P) 6/68/Fin.,  
dt. 4-1-1968]

This amendment shall be deemed to have come into force with effect from 12<sup>th</sup> September 1967.

[G.O.(P) 106/70/Fin.,  
dt. 7-2-1970]

### **SECTION III - PERMANENT TRAVELLING ALLOWANCE**

- 6.** A permanent monthly Travelling Allowance may be granted by Government to any officer whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of Travelling Allowance for journeys within the officer's sphere of duty and is drawn all the year round, whether the officer is absent from his headquarters or not.

**Government Decision No. 1**

Since Permanent Travelling Allowance is fixed at a monthly rate it is not necessary that the officer should be on tour beyond 8 kilometres from headquarters on all days of the month. Even for days he is not on tour outside 8 kilometres from headquarters he can draw Permanent Travelling Allowance. This does not however mean that Permanent Travelling Allowance can be drawn without leaving headquarters on any day of the month. The drawal of the allowance will be governed by the order fixing the rate of Permanent Travelling Allowance and prescribing the terms and conditions for its drawal. For the drawal of full amount of Permanent Travelling Allowance an officer should be on tour outside 8 kilometres from headquarters for 15 days in a month and should spend at least 6 hours outside headquarters on each such day. If the minimum number of days of travel is not performed reduction has to be made as per the terms and conditions of the Permanent Travelling Allowance.

This decision shall be deemed to have come into force with effect from 9<sup>th</sup> December 1970.

**Government Decision No.2**

The following procedure will be followed for drawal of P.T.A in cases where an officer is on duty for a part of a month and also in cases where the officer has been on duty for the whole month but has not toured for the minimum number of days prescribed :-

- (a) If an officer is on duty for a part of a month he will be allowed proportionate P.T.A. for the days he is on duty provided that the officer is on tour for the proportionate number of days with reference to the minimum days of tour prescribed.
- (b) For every day short toured, a deduction of  $(1 \times \text{PTA}) / Y$  will be made where Y is the minimum number of days of tour prescribed.

*Example.-* Suppose an officer whose P.T.A. is Rs.40 per mensem, and whose minimum period of touring is fixed as 20 days per month, is on duty only for 20 days in a month of 30 days. He is entitled to a P.T.A. of  $\text{Rs.}(20 \times 40)/30 = \text{Rs.}26.67$  provided, he puts in not less than the proportionate number of tour days, i.e.,  $(20 \times 20)/30 = 13$  days. For every day short toured by him a deduction of  $1/20$  of Rs.40 will be made (i.e., if he tours only for 12 days, an amount of Rs.2 will be deducted from Rs.26.67).

- (c) In cases where the officer is on duty for the whole month but has not toured for the minimum number of days prescribed, a deduction of  $(X \times \text{P.T.A}) / Y$  will be made where X and Y are the shortfall in the number of days of tour and the minimum number of days of tour prescribed in a month respectively.

*Example.-* Suppose an officer whose P.T.A is Rs.40 per mensem and whose minimum number of tour days is fixed as 20 per month, is on duty for the whole month and tours only for 15 days, a deduction of  $5 \times 40/20 = \text{Rs.}10$  is to be made from his P.T.A. of Rs.40 per mensem.

Effective from 8<sup>th</sup> June 1962.

7. A Permanent Travelling Allowance may not be drawn during leave, temporary transfer or joining time, or unless in any case, it be otherwise expressly provided in these rules, during any period for which Travelling Allowance of any other kind is drawn.
8. When an officer holds, either substantively or in an officiating capacity, two or more posts to each of which a Permanent Travelling Allowance is attached, he may be granted such Permanent Travelling Allowance, not exceeding the total of all the allowances, as the Government may consider to be necessary in order to cover the travelling expenses which he has to incur.

#### **SECTION IV - CONVEYANCE ALLOWANCE**

- The Government may grant on such conditions as they think fit to impose, a monthly conveyance allowance to any officer who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance.
- 9.
  10. Except as otherwise provided in these rules and unless the Government otherwise direct, a conveyance allowance is drawn all the year round, is not forfeited during absence from headquarters and may be drawn in addition to any other Travelling Allowance admissible under these rules provided that an officer, who is in receipt of a conveyance allowance specifically granted for the upkeep of a motor car or motor cycle shall not draw mileage or daily allowance for a journey by the motor car or motor cycle except on such conditions as the Government may prescribe.
  11. A conveyance allowance shall not be drawn during leave or temporary transfer or holidays prefixed or suffixed to leave. A conveyance allowance to which the obligation of maintaining a motor vehicle or any other conveyance is not attached, is not admissible even during joining time.

#### **SECTION V - MILEAGE ALLOWANCE**

##### **SUB - SECTION (I) - GENERAL**

12. A mileage allowance is an allowance, calculated on the distance travelled which is given to meet the cost of a particular journey.
13. (a) For the purpose of calculating mileage allowance, a journey between two places is held to have been performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short; provided that when there are alternative railway routes and the difference between them in point of time and cost is not great, mileage allowance may be calculated on the route actually used.
- (b) The shortest route is that by which a traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt, the Government will declare which shall be regarded as the shortest of two or more routes.

#### **Government Decision No. 1**

The shortest distance between Ernakulam to Fort Cochin and Mattancherry and vice versa would be the distance by road for purpose of Travelling Allowance.

[G.O.(Ms.)117/64/Fin.,  
dt. 16-3-1964]

#### **Government Decision No. 2**

The route via., Mavelikkara would be the shortest route for journeys between Chengannur and Alleppey for purpose of Travelling Allowance.

[G.O. (Rt.) 2723/64/Fin.,  
dt. 8-12-1964]

[This will have effect till bridges are opened in all three ferries in the Changancherry route]

### Government Decision No. 3

In the case of air journeys from Trivandrum to Delhi via., Bombay the claim should be supported by a certificate that no seat was available via., Madras. But the Chief Secretary to Government, Members of the Board of Revenue, Secretaries and Additional Secretaries to Government and Heads of Departments are permitted to travel either via., Bombay or Madras for the journeys to Delhi and back.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

[Circular Memorandum No. 53/64/Fin., dated 6<sup>th</sup> June 1964 and G.O. (P) No. 699/64/Fin., dated 30<sup>th</sup> September 1964].

- (c) If an officer travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used.

14. The Government in respect of Heads of Departments and the Heads of Departments in the case of their subordinates may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

\*Note 1.-The sanction of Government is not required for the claim for higher road mileage by an officer of the First Grade for a journey performed by road between places connected by rail or by air within the State. The signature of the officer on the Travelling Allowance bill will be sufficient for the purpose of this rule. In such cases, the full rate of mileage allowance will be allowed upto 200 kilometres a day irrespective of the fact whether any inspection work is done or any public purpose is served en-route and at three fourths of the full rate for the remaining distance.

\*Note 2.- In cases where the distance to be travelled from the Headquarters to perform the duty at the outstation is within 50 kilometres, the onward journey shall be performed on the day on which official business is to be transacted. Similarly the return journey shall be performed on the day on which official business is completed at the outstation.

\*Effective from 1<sup>st</sup> November 1979

[G.O.(P)186/89/Fin.,  
dt 29-3-1989]

15. A journey on transfer is held to begin or end at the actual residence of the Government servant concerned. Any other journey (excluding a journey of the type referred to in the note below) is held to begin or end in any station at the duty point in that station.

[G.O.(P) 16/65/Fin.,  
dt 6-1-1965]

*Explanation.*-For the purpose of this rule the "duty point" at the headquarters means the place or office where a Government servant remains on duty, i.e., the place or office of employment at the headquarters. In the case of outstations the "duty point" means the place or office visited by the Government servant on duty. Whether there are two or more such places or offices at an outstation, the following shall be taken as the "duty point" :-

- (a) If a Government servant reaches that station by rail, steamer,



or air, the place or office which is farthest from the railway station, harbour (or jetty) or the air booking centre as the case may be.

- (b) If he reaches that station by road, the place or office which is farthest from the point from which the journey to that station commenced.

*Note.* - Where the journey commences or ends at a station which is either the Government servant's headquarters or his places of duty, it may be treated to have commenced or ended at his residence.

16. An Officer is required to travel by the class of accommodation for which Travelling Allowance is admissible to him. The provisions of all rules regulating mileage allowance are subject to the condition that if an officer travels in a lower class of accommodation, he shall be entitled to the fare of the class of accommodation actually used plus the incidental expenses admissible to his grade calculated on the distance travelled in the case of rail journeys and the incidental expenses admissible had he travelled by the class of accommodation by which he is entitled to travel in the case of journeys by sea or air.

[G.O.(P) 216/65/Fin.,  
dt 29-5-1965]

*Note 1.* - Officers who are eligible to travel by first class or air conditioned class and who actually travel by that class and claim the fare accordingly, should furnish the following certificate in their Travelling Allowance bills namely:-

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

“Certified that I have actually travelled in the class of accommodation for which the fare is claimed in this bill”;

Effective from 1<sup>st</sup> November 1979.

*Note 2:-* Non Gazetted Officers who are eligible to travel by first class/air conditioned class but who are not drawing officers, shall furnish the following declaration in their tour diary, namely:-

[G.O. (P) 186/89/Fin.,  
dt 29-3-1989]

“I hereby declare that I have actually travelled by first class/air conditioned class on .....(dates) from ..... (place) to ..... (place).

On the basis of the above declaration furnished by the non gazetted officers, the drawing officers shall furnish the following certificate in the Travelling Allowance bills of the nongazetted officers, namely:-

“Certified that the officers for whom first class/air conditioned class railway fare has been claimed in this bill have declared that they have actually travelled by that class of accommodation”;

Effective from 31<sup>st</sup> March 1981.

17. Mileage allowance is differently calculated as shown in the following sections, according as the journey is or could be by railway, by sea, by road or by air.

#### **SUB - SECTION II - MILEAGE ALLOWANCE FOR JOURNEYS BY RAILWAY**

18. For the purpose of calculating mileage allowance, officers when travelling by railway are entitled to class of accommodation according to the following scale:-

- (a) An Officer of the First Grade - Accommodation of the First Class (or the highest class by whatever name it is called).

- (b) An officer of the Second Grade - Accommodation of the First Class.
- \* (c) An officer of the Third Grade or the Fourth Grade - Accommodation of the Second Class.

*Note 1.-* Air conditioned accommodation is not recognised as a class of accommodation for the purpose of these rules except for journeys on tour by officers holding posts on a scale of pay the minimum of which is not less than ₹2000. First Grade Officers holding posts on a scale of pay the minimum of which is less than ₹2000 may however travel by air conditioned accommodation while on tour subject to the recovery of 13 paise per 10 kilometres or part thereof if it exceeds 5 kilometres, from their T.A. bills. This rule is applicable in the case of journeys by air conditioned class in Deluxe trains also.

†Effective from September 1985.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

*Note 2.-* Officers of the Second and Third Grades will be allowed to travel in air conditioned second\* class accommodation in Deluxe trains at public expense.

\*Effective from 1<sup>st</sup> March 1975.

[G.O.(P) No.117/77/Fin.,  
dt. 13-3-1977]

*Note 3.-* [Deleted]

Effective from 1<sup>st</sup> November , 1979.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

19. The Government may, for special reasons which should be recorded, declare any particular officer or class of officers to be entitled to accommodation of a higher class than that prescribed for his class in clauses (b) or (c) of Rule 18.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

20. Except in the case of journeys on transfer (the rules for which are contained in section III), the mileage allowance admissible to an officer is as follows :-

- \* (a) First Grade and Second Grade Officers who do not actually travel in First Class/Air conditioned class and officers who are not eligible for First Class/Air conditioned class of accommodation are entitled to mileage allowance at the following rates:-

First Grade Officers	-	18 paise per kilometre
Second Grade Officers	-	14 paise per kilometre
Third Grade Officers	-	12 paise per kilometre
Fourth Grade Officers	-	10 paise per kilometre

These rates are inclusive of incidental expenses and are applicable for journeys irrespective of whether the places are connected by rail or not.

- \* (b) Officers who are eligible for First Class/Air conditioned class of accommodation and who actually perform the journey by such class are entitled to claim actual rail fare plus incidental expenses at the following rates:

First Grade Officers	-	8 paise per kilometre
Second Grade Officers	-	6 paise per kilometre

The above rates are subject to a minimum of half daily allowance.

\*Effective from 1<sup>st</sup> November, 1979.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

**Government Decision No. 1**

The Railway authorities entertain claims for refund of cancellation charges on unused Railway tickets only from the passengers concerned. So in case where the official rail journey is cancelled solely due to official reasons, the Government servant should after getting the refund in the usual manner from the Railway station prefer to the appropriate Railway authority concerned his claim for refund of cancellation charges (i.e., full ticket value excluding reservation charges and refund already received) on unused tickets supported by a certificate from his controlling authority to the effect that the journey had to be cancelled solely due to exigencies of service. When the officer himself is his own controlling officer for purposes of T.A. he may furnish his own certificate. The claim for the refund preferred on the Railways, should, however, be restricted to what it would be, had the officer booked and cancelled his journey by the shortest route, save in exceptional cases, where the route actually adopted by the officer is certified by the controlling officer or by the officer himself if he is his own controlling officer for T.A. purposes to be in the interest of public service.

[G.O.(P) 388/75/Fin.,  
dt 27-8-1975]

Reservation charges in cases referred to above will be reimbursed to the Government servant without waiting for the acceptance of his claim for refund of cancellation charges by the Railway authorities. The amount of reservation fee reimbursed to a Government servant is debitable to the same head to which his T.A. is charged.

The Government servant should record a certificate as follows in the T.A. Bill for the claim.

"Certified that the reservation of journey ticket made as per reservation ticket No..... on .....was cancelled due to exigencies of public service."

This amendment shall be deemed to have come into force with effect from the 6<sup>th</sup> October 1983.

[G.O. (P) 639/83/Fin.,  
dt 6-10-1983]

**Government Decision No. 2**

The reservation charges paid for railway journeys in respect of the appropriate classes of accommodation will be reimbursed to Government servants as forming part of the fare in cases where reservation is actually required in the exigencies of public service.

[G.O. (P) 639/83/Fin.,  
dt. 6-10-1983]

This amendment shall be deemed to have come into force with effect from the 6<sup>th</sup> October 1983.

21. [Deleted] †

22. [Deleted] †

23. [Deleted] †

†Effective from 1<sup>st</sup> November 1979.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

24. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by rail within the period for which a return ticket is available. The mileage allowance for the forward and the return journeys wherever such return tickets are available and are purchased will be the actual cost of the return ticket plus the usual allowance admissible for incidental expenses each way.

**SUB-SECTION (III) -MILEAGE ALLOWANCE FOR JOURNEYS****BY SEA IN A STEAMER**

25. For the purpose of calculating mileage allowance, officers are entitled to class of accommodation according to the following scale :-
- (a) An Officer of the First Highest class  
Grade
- (b) An Officer of the Second Grade If there be two classes only on the steamer the higher class, and if there be more than two classes, middle or second class.
- (c) An Officer of the Third Grade If there be two classes only on the steamer the lower class, if there be three classes, middle class, or second class and if there be four classes, third class.
- (d) An officer of the Fourth Lowest class  
Grade
26. Except in the case of journeys on transfer the mileage allowance admissible to an officer is single fare of the class of accommodation he is entitled to plus the Daily Allowance admissible under the rules for halts outside the State or 1 and 3/5 fare whichever is greater. In cases where the steamer company has two rates of fare, one inclusive and one exclusive of diet, the word 'fare' in this rule should be held to mean fare exclusive of diet.
27. In cases of doubt or in which, owing to the arrangement of classes on a steamer, the provisions of Rule 25 if strictly construed involve hardship, Government may decide, for journeys generally or for particular journeys, to what class of accommodation an officer is entitled, and whether if a concession is sanctioned, he should be granted the full allowance admissible for the higher class in which he is permitted to travel.
28. The rules in this sub-section apply to officers who cross a river or arm of the sea by steamer in the course of a journey unless such crossing occurs during a railway journey and the charge for it is included in the railway fare. In the latter case, the crossing is treated as part of the railway journey.
29. If suitable accommodation on a Government vessel is offered to an officer, he is entitled to Travelling Allowance under Rule 109 and not to mileage allowance. It is not open to him to refuse to accept such accommodation and to draw mileage allowance.

**SUB-SECTION (IV) - MILEAGE ALLOWANCE FOR JOURNEYS BY ROAD**

30. For the purpose of these rules travelling by road includes travelling by sea or river in a steam launch or in any vessel other than a steamer and travelling by canal.

31. For journeys by road, mileage allowance is admissible at the following rates for each kilometre travelled irrespective of whether the places are connected by rail or not :

[G.O. (P) 186/89/Fin.,  
dt 29-3-1989]

Officers of the First Grade	:	95 paise per kilometre if special conveyance is engaged and 18 paise per kilometre if the journeys is performed by public conveyance
Officers of the Second Grade	:	14 paise per kilometre
Officers of the Third Grade	:	12 paise per kilometre
Officers of the Fourth Grade	:	10 paise per kilometre

Effective from 1<sup>st</sup> November 1979.

The rate of mileage allowance for journeys by road for special conveyance (motor car) is Rs.1.25 per kilometre with effect from 1<sup>st</sup> September 1985.

For journeys by public conveyance by road, officers will be paid actual bus fare plus incidental expenses as admissible under Para 1 of Rule 110. Grade I and II Officers will be entitled to travel by Express bus and Grade III and IV Officers by Fast Passenger bus. In emergent cases, with the permission of the Controlling Officers, Grade III and IV Officers can perform journeys in Express buses and claim Travelling Allowance on that basis. The existing provision for claiming road mileage for journeys by rail or road, irrespective of whether the places are connected by rail or not, will continue.

[G.O.(P) 186/89/Fin.,  
dt 29-3-1989]

Effective from 1<sup>st</sup> September, 1985.

*Note 1.*- With effect from 1<sup>st</sup> November 1979, only officers of the First Grade are allowed to travel by special conveyance and claim higher mileage. With effect from 1<sup>st</sup> September, 1985 First Grade Officers in receipt of actual pay of Rs. 2250 and above only are allowed to travel by special conveyance and claim higher mileage. An officer of the First Grade claiming the higher mileage will note in his Travelling Allowance bill concerned the registration number of the special conveyance used by him.

*Note 2.*- Officers of the First Grade claiming mileage at the higher rate shall furnish the following certificate in their Travelling Allowance bills, namely :-

"I certify that I did not perform the road journeys for which mileage allowance has been claimed at the higher rate by any public conveyance which plies regularly for hire between fixed points and charge fixed rates. I also certify that the journey was not performed in any other vehicle without payment of its hire charges or without incurring its running charges."

*Note 3.*- An officer of the First Grade claiming higher road mileage for a journey performed in his own car shall furnish the following certificate in lieu of the certificate referred to in Note 2 above, namely:-

"I certify that the road journeys for which mileage has been claimed at the higher rate were performed by me in my own car".

*Note 4.*- All officers claiming road mileage should record in their Travelling Allowance bills one of the following certificates as may be appropriate, namely :-

- (a) "Certified that a I have not been provided with any Government conveyance for my use".

Or

- (b) "Certified that the Government conveyance provided for my use was out of order/not available for journeys on ....(dates to be specified).

*Explanation.*—In the case of non-gazetted officers, the drawing officers shall record the certificate with suitable changes and the controlling officer shall ensure that the Government servants who are provided with Government conveyance use such conveyance for their official journeys and that otherwise, the prescribed certificate is recorded invariably.

*Note 5.* - When two or more officers travel in a conveyance belonging to one of them or hired by one of them, the officer who owns or hires the conveyance may draw Travelling Allowance as if he travelled alone and the other officer (s) may draw only the Travelling Allowance as admissible under Rule 107 read with Rule 110, even if he (they) meets (meet) a portion of the cost of propulsion of the conveyance or of the hire charges of the conveyance, as the case may be. A certificate in the following form shall also be attached to the Travelling Allowance bills of the officers claiming travelling allowance under the above provision, namely:-

"Certified that I/We

(1) Name and Designation .....

(2) Name and designation .....

(3) Name and designation .....

(4) Name and designation travelled together from .....

.....to ..... on .....

in a special conveyance (here enter Registration No. of the vehicle) owned/hired by the officer whose name is mentioned as No..... above, and that I have claimed Travelling Allowance admissible under Note 5 below Rule 31, Kerala Service Rules, Part II."

*Note 6.* - An Officer who performs a journey by a conveyance owned by another officer without meeting the cost of its use and propulsion but whose own conveyance immediately precedes or follows him is eligible for the mileage allowance admissible under the rules. He shall, when he claims mileage allowance certify that the cost of the use and propulsion of his conveyance which immediately preceded or followed the conveyance by which he travelled was met by him.

*Note 7.* -If an Officer of the First Grade, travels more than two hundred kilometres a day by special conveyance, the rate of mileage admissible for the excess over two hundred kilometres will be reduced to three fourths of what is normally admissible.

**Government Decision No. 1**

If an Officer has to perform long journeys, he may be allowed to perform the journeys in more than one day subject to the condition that the halt should be made only after the officer has made a march of not less than two hundred kilometres in a

[G.O.(MS) 454/61/Fin.,  
dt. 6-11-1961]

day. In cases where the journey commences late in the day, halts may also be made after marches of less than two hundred kilometres. In all such cases of long journeys the restriction regarding the mileage in the above note will be applied only in respect of each day's journey. No daily allowance either full or half will be admissible to the Officer for such intermediate halts.

**Government Decision No. 2**

Effective from 1<sup>st</sup> November, 1959.

[G.O.(Ms) 486/61/Fin.,  
dt 2-12-1961]

*Note 8.* - For journeys performed by foot between places not connected by any public conveyance, Officers of the First Grade shall be given mileage at the rate applicable for journeys by special conveyance and officers of the other grades shall be given mileage at the rate of 35 paise per kilometre. An Officer claiming mileage in such cases should certify that he performed the journey entirely by walking, and the officer who countersigns the Travelling Allowance bill shall countersign the above certificate also.

*Note 9.* - A First Grade Officer, with a staff car attached to him or his office should not engage a special conveyance for his journeys, if the staff car is available. The following procedure should be observed if such an Officer claims higher mileage in his Travelling Allowance bills namely:-

- (i) If the bill requires countersignature, the countersigning authority shall countersign it only after satisfying himself that the departmental vehicle was not available for the journey and shall record a certificate to that effect in the bill.
- (ii) If the bill does not require countersignature, a certificate should be attached to the bill signed by the head of the Office or the Officer-in-charge of the departmental vehicle to the effect that the vehicle was not available for the journey for which special mileage is claimed.

*Note 10.* - Autorickshaws, Motor Cycles, Scooters and Mopeds will not be considered as special conveyances, and no higher rate of mileage will be allowed for journeys performed by such vehicle.

With effect from 1<sup>st</sup> September, 1985 Grade I and Grade II Officers are entitled for special mileage allowance at the rate of 30 paise per kilometre for journeys for public purpose by motor cycle or Scooter owned and maintained by them. As in the case of special mileage for car, the registration number of the Motor cycle or Scooter should be recorded in the bill claiming T.A., at the special rate allowed for such journeys.

**Government Decision No. 3**

Half daily allowance will be admissible for intermediate halts beyond 200 kilometres when the journey is performed in departmental vehicles.

[G.O.(P) 756/78/Fin.,  
dt 16-10-1978]

**Government Decision No. 4**

The above note should be deemed to apply only to journeys performed by road. 'The nature of conveyance' referred to in the note is intended to differentiate between 'Public conveyance' and 'Special conveyance' and not between different modes of journeys, such as journey by road or journey by rail. The note above therefore allows higher mileage only for journeys on transfer between places not connected by rail.

(Circular No. 43959/EB4/Fin., dt. 19-11-1962)

Rule 66, Part II, does not permit an officer to draw road mileage for journeys on transfer performed between places connected by rail as the term "Mileage allowance" as defined in Rule 12, Part II, relates not to 'road mileage' alone.

32. The Government may, for special reasons to be recorded, allow to a particular officer or grade of officers, mileage allowance at a higher rate than is prescribed in Rule 31.
33. In calculating mileage allowance for journeys by road, fractions of a kilometre should be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

**SUB - SECTION (V) MILEAGE ALLOWANCE FOR JOURNEYS BY AIR.**

34. An officer authorised to travel by air is entitled to mileage allowance equal to one standard air fare plus an allowance for incidental expenses at one-fifth of the standard air fare subject to a minimum of one daily allowance and maximum of five times the daily allowance at the ordinary rate for each single journey, each single journey being defined as the journey from starting point to destination or vice versa.

[G.O.(P) 197/66/Fin., dt 11-5-1966]

*Note 1.*- All first grade officers are authorised to travel by plane, Officers belonging to the other grades should take the prior sanction of Government for air journeys.

*Note 2.*- When an officer performs both rail and air journeys on the same day he will be allowed to draw the actual incidental expenses at the prescribed rates subject to a minimum of one daily allowance for both the air and rail journeys together.

[G.O. (P) 416/66/Fin., dt 13-9-1966]

*Note 3.*- The incidental expenses are limited to the following ceiling:-

	Rs. p.
(i) First Grade Officers	62.50
(ii) Second Grade Officers-	
(a) Officers whose actual pay is *Rs.1500 and above and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below *Rs.2000	42.50
(b) Other Officers	30.00
(iii) Third Grade Officers	25.00
(iv) Fourth Grade Officers	20.00



This amendment shall be deemed to have come into force with effect from 21<sup>st</sup> March 1974.

[G.O.(P) 300/75/Fin.,  
dt 7-7-1975]

\* Effective from 1<sup>st</sup> September 1985.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

### Government Decision No. 1

The following classification is prescribed in respect of various officers for purposes of air travel while performing official duty journeys, where two classes of tickets are available :-

[G.O.(P) 16/64/Fin.,  
dt. 9-1-1964]

<b>Class of Officers</b>	<b>Class of air travel</b>
(i) Officers drawing a pay of Rs.2,250 per month and above.	Standard (First) Class
(ii) Officers drawing a pay between Rs.1,800 and Rs.2,249 per month	Standard (First) class where the journey involves night travel; otherwise Tourist Class.
	For this purpose 'Night' means the time between 6 p.m. and 6 a.m.
	In case part of the journey is performed during night, standard (First) class will be admissible for the entire journey.
(iii) Officers other than those falling under (i) and (ii) above	Tourist class.

### Government Decision No. 2

The Chairman and Members of the Kerala Public Service Commission will be included along with officers of a pay of Rs.2,250 per mensem and above for purposes of air travel.

[G.O. (Ms.) 586/64/Fin.,  
dt. 19-8-1964]

### Government Decision No. 3

The taxes paid on inland and foreign air travels shall be reimbursed to the State Government servants, in cases where the travel is on official business and on public interest and where the expenditure on air fare itself is borne by the Government, Officers may claim reimbursement of the tax paid by them in the Travelling Allowance bills prepared for the particular journeys producing receipts in token of having paid the tax. The reimbursement of the tax will be by debit to the same head of account to which the Travelling Allowance claims of the officers are debited.

[G.O. (P) 46/73/Fin.,  
dt. 12-2-1973]

This decision shall be deemed to have come into force with effect from 15<sup>th</sup> November 1971 and 15<sup>th</sup> October 1971 respectively, for inland air travel tax and foreign air travel tax.

**Government Decision No. 4**

The Governor, Speaker, Deputy Speaker, Leader of the Opposition, Ministers, Chief Secretary, Secretaries to Government and the following Heads of Departments will be covered by Personal Accident Insurance Policies on year to year basis.

[G.O.(P) 531/80/Fin.,  
dt. 29-8-1980]

1. Member, Board of Revenue.
2. Chief Engineer.
3. Director of Health Services.
4. Director of Public Instruction.
5. Member, Planning Board.
6. Director of Technical Education.
7. Director of Collegiate Education.
8. Chief Electrical Inspector.
9. Director of Ports.
10. Chief Town Planner.
11. Inspector General of Police.

In respect of others who travel by air on Government business they will take Air Insurance Coupons from Air Port (Rupees ten for a compensation of Rupees one lakh). This amount will be reimbursed to them along with the T.A. claims.

35. An Officer who is not authorised to travel by air but who performs a journey by air on tour can draw only the Travelling Allowance to which he would have been entitled if he had travelled by rail, road or steamer.
36. If available, return tickets at reduced rates should always be purchased when an officer expects to perform the return journey by air within the period during which a return ticket is available. The mileage allowance for the forward and the return journeys when such return tickets are available will, however, be the actual cost of the return ticket plus 2/5 of the standard air fare for a single journey between the two places.

*Note.* - The incidental expenses for each single journey will be limited to the ceilings prescribed in note 3 under rule 34.

[G.O.(P) 186/89/Fin.,  
dt 29-3-1989]

**Government Decision**

The cancellation charges of air tickets shall be reimbursed to officers who have booked their tickets for official journeys in case they could not undertake the journeys due to circumstances beyond their control.

[G.O.(P) 141/77/Fin.,  
dt. 10-5-1977]

The Government servant should record a certificate as follows in the T.A. Bill for the claim. Certified that reservation of journey ticket made as per reservation ticket No..... on.....was cancelled due to exigencies of public service.

**SECTION VI - DAILY ALLOWANCE**

37. A daily allowance is a uniform allowance for each day of absence from headquarters, which is intended to cover the ordinary daily charge incurred by an officer in consequence of such absence.

38. Unless in any case it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour by every officer whose duties require that he should travel, and may not be drawn except while on tour.

39. Daily allowance is admissible on the following scale :-

- |       |   |                 |
|-------|---|-----------------|
| (i)   | Officers of the First Grade   | †Rs.40.00 a day |
| (ii)  | Officers of the Second Grade  |                 |
|       | (a) Officers whose actual pay is †Rs.1,500 or above, and those in the cadre of Deputy Collectors and Deputy Superintendents of Police drawing a pay below †Rs.2,000 | †Rs.32.00 a day |
|       | (b) Other Officers  | †Rs.24.00 a day |
| (iii) | Officers of the Third Grade   | †Rs.21.00 a day |
| (iv)  | Officers of the Fourth Grade  | †Rs.16.00 a day |

†Effective from 1<sup>st</sup> September 1985.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

Provided that an officer, who while on tour is provided with free boarding and lodging, may draw only one fourth of the daily allowance admissible to him at the station concerned; if only boarding is provided free to such an officer he may draw daily allowance at one-half of the admissible rate; if only lodging is provided free, he may draw daily allowance at two-thirds of the admissible rate.

[G.O.(P) 426/66/Fin.,  
dt 17-9-1966]

*Note 1.* - Daily Allowance is calculated on the actual pay the officers are in receipt of, and with reference to the grade to which they belong.

*Note 2.* - If a Government servant who stays during tours in circuit houses, inspection bungalows, rest houses, etc., is required to pay any charges on account of stay at such places, even though it may not cover the entire cost of the facilities provided, no reduction in the daily allowance will be made.

[G.O. (P) 426/66/Fin.,  
dt 17-9-1966]

40. The Government may, for reasons which should be recorded and on such conditions as they may think fit to impose, sanction for any officer or class of officers, a daily allowance higher or lower than that prescribed in Rule 39, if they consider that the allowance so prescribed is inadequate or excessive.

#### SECTION VII - ACTUAL EXPENSES

41. Unless in any case it be otherwise expressly provided in these rules, no officer is entitled to be provided with means of conveyance by or at the expense of Government, or to draw as Travelling Allowance the actual cost or part of the actual cost of travelling.

### CHAPTER II

#### TRAVELLING ALLOWANCE FOR DIFFERENT KINDS OF JOURNEY

**SECTION I - GENERAL**

- 42.** The Travelling Allowance admissible to an officer for any journey is calculated with reference to the purpose of the journey in accordance with the rules laid down in Sections II to XI of this Chapter.

*Note 1.* - When an officer who is permitted on his own request to attend meetings or conferences or congresses held in India and if any Government

interest is served thereby, he may be paid (under specific orders of Government) a single railway fare of the class of accommodation to which he is entitled under these rules for the journey each way, without any road mileage or daily allowance for halt, at the place of meeting.

Travelling and daily allowances under these rules, are however, admissible when an officer is officially sent to attend a conference, congress or meeting.

*Note 2.* - The officers of Government travelling on University business will receive Travelling Allowance direct from the University according to its rules.

*Note 3.* - An officer as a member of a Staff Council shall be eligible for Travelling Allowance and Daily Allowance as on tour for the journeys performed by him for attending the Staff Council Meeting and back.

- 43.** Unless in any case it be otherwise expressly provided in these rules, an officer making a journey for any purpose is not entitled to recover from Government the cost of transporting his family or his personal luggage, conveyances and camp equipage.

- 44.** The Government may, by general or special order, direct that the ordinary rates of daily allowance or mileage allowance or both shall be increased either in a definite ratio or in any other suitable manner for any or all officers travelling in any specified locality in which travelling is unusually expensive.

*Note 1.* -When travelling in hilly tracts, officers are entitled to draw an additional 25 per cent of the daily allowance or mileage allowance ordinarily admissible to them in Class I tracts and 12 ½ per cent thereof in Class II tracts. Appendix IX gives the list of Class I and Class II hilly tracts.

**Ruling No. 1**

A Government servant whose headquarters is situated in a special tract and who undertakes a journey from headquarters and returns thereto on the same day, is not entitled to the higher rate of daily allowance applicable for halts in the special tract irrespective of whether the journey is performed entirely in the special tract or partly in the special and partly in the ordinary tract.

**Ruling No. 2**

A Government servant whose headquarters is situated in a hilly tract may claim half daily allowance admissible under Rule 63 for the day of arrival at and for the day of departure from a place in Class I or II hilly tract at the enhanced rates applicable to the class of the hilly tract where he halted, provided his absence from the headquarters exceeded eight hours.

This ruling shall be deemed to have come into force with effect from 20<sup>th</sup> July 1960.

**Ruling No. 3**

The area between Dehra Dum and Mussorie in Uttar Pradesh will be treated as Class I hilly tract for purposes of Note I to Rule 44, Part II, K.S.R.

[G.O.(Rt.) 787/61/DD.,  
dt. 9-10-1961]

*Note 2.* - The rate of daily allowance of an officer who spends part of a day in a hilly tract and part in a place to which the ordinary rates apply is determined according to the place where he halts after the journey.

*Note 3.* - Officers travelling or halting outside the State may be given daily allowance at the following rates :-

- |   |                          |
|---|--------------------------|
| (i) Officers of the First Grade<br>for halt   | †Rs.65.00 a day          |
| (ii) Officers of the Second Grade   |                          |
| (a) Officers whose actual pay<br>is †Rs.1,500 or above<br>and those in the cadre of<br>Deputy Collectors and<br>Deputy Superintendents<br>of Police drawing a pay<br>below †Rs.2,000. | †Rs.50 a day for halt    |
| (b) Other Officers  | †Rs.40.00 a day for halt |
| (iii) Officers of the 3 <sup>rd</sup> Grade   | †Rs.40.00 a day for halt |
| (iv) Officers of the 4 <sup>th</sup> Grade  | †Rs.30.00 a day for halt |
| †Effective from 1 <sup>st</sup> September 1985.   |                          |

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

45. When an officer of a grade lower than the first grade is required by the order of a superior authority to travel by special means of conveyance, the cost of which exceeds the amount of the daily allowance or mileage allowance, admissible to him under the ordinary rules he may draw the actual cost of travelling in lieu of such daily or mileage allowance. The bill for the actual cost must be supported by a certificate, signed by the superior authority and countersigned by the controlling officer, stating that the use of the special means of conveyance was absolutely necessary and specifying the circumstances which rendered it necessary.

## SECTION II-JOURNEYS ON TOUR

## SUB-SECTION (I) - GENERAL RULES

46. The headquarters of an officer shall be in such place as Government may prescribe.
47. The Government may define the limits of the sphere of duty of any officer.

*Note 1-* The Heads of Departments and District Collectors are empowered to sanction journeys of subordinate officers to the adjoining districts of neighbouring States.

[G.O.(P) 454/80/Fin.,  
dt.16-7-1980]

Effective from 30<sup>th</sup> August 1979.

*Note 2-* The Heads of Departments and District Collectors will be competent to undertake journeys outside the State in the adjoining districts of neighbouring States in public interest.

*Note 3.* - The Board of Revenue is empowered to sanction journeys of Poddars outside the State accompanying remittances to the Reserve Bank of India agencies in accordance with instructions from the Currency Officer.

G.O.(Ms.) 157/Rev.,  
dt. 14-2-1962]

Effective from 14<sup>th</sup> February 1962.

*Note 4.* - The Inspector-General of Police is empowered to sanction the journeys outside the State of all officers of his department below the rank of Assistant Superintendent of Police/Deputy Superintendent of Police. \*He is also empowered to sanction journeys outside the State of all officers below the rank of Superintendent of Police in the Crime Branch in connection with investigation of cases.

\*[G.O.(P) 440/67/Fin.,  
dt. 5-10-1967]

48. An officer is on tour when absent on duty from his headquarters either within or, with proper sanction beyond his sphere of duty.
49. In case of doubt the Government may decide whether particular absence is absence on duty for the purpose of Rule 48.
50. The Government may impose such restrictions as it may think fit, upon the frequency and duration of journeys to be made on tour by any officer or class of officers.
51. If the Government declares that the pay of a particular officer or class of officers has been so fixed as to compensate for the cost of all journeys, other than journeys by rail or steamer, within the officer's sphere of duty, such an officer may draw no Travelling Allowance for such journeys though he may draw mileage allowance, for journey by rail or steamer. When travelling on duty, with proper sanction beyond his sphere of duty, he may draw Travelling Allowance calculated under the ordinary rules for the entire journeys, including such part of it as is within his sphere of duty.
52. The Travelling Allowance drawn by an officer on tour ordinarily takes the shape of either Permanent Travelling Allowance or daily allowance, if either of these is admissible to him. Permanent Travelling Allowance and daily allowance may, however, in certain circumstances, be exchanged for mileage allowance or for the whole or part of the actual cost of travelling. In certain other circumstances, actual cost may be drawn in addition to daily allowance or for journeys for which no daily allowances is admissible.

#### **SUB-SECTION (II) - OFFICERS IN RECEIPT OF PERMANENT**

##### **TRAVELLING ALLOWANCE**

53. A Permanent Travelling Allowance is intended to cover the cost of all journeys within the sphere of duty of the officer who draws it, and such an officer may not draw any other Travelling Allowance in place of or in addition to Permanent Travelling Allowance for such journeys provided that:
- (1) a class of officers to whom Government may extend this concession may draw, in addition to Permanent Travelling Allowance single fare for a journey by rail, and

- (2) the Government may, by general or special order, permit an officer whose sphere of duty extends beyond the limits of a single district to draw, in addition to Permanent Travelling Allowance, whenever his actual travelling expenses for a duly authorised journey by public conveyance exceed double the amount of his Permanent Travelling Allowance for the period occupied in such journey, the difference between such double Permanent Travelling Allowance and the mileage allowance calculated for the journey.

**54.** When an officer in receipt of Permanent Travelling Allowance travels on duty, with proper sanction, beyond his sphere of duty, he may exchange his Permanent Travelling Allowance for the mileage allowance for the entire journey including such part of it as is within his sphere of duty and may draw in addition Permanent Travelling Allowance for any day of his absence for which he does

not draw mileage allowance. This rule does not apply to an officer who travels beyond his sphere of duty in the course of a journey from one place within that sphere to another such place, or to an officer who makes, by road alone, a journey not exceeding 32 kilometres.

*Note.* - All officers in receipt of Permanent Travelling Allowance will be allowed to exchange Permanent Travelling Allowance for regular Daily Allowance for days of halt at places outside the area of jurisdiction for the performance of official duty at such places under specific orders of competent authority subject to the normal rules for the drawal of Daily Allowance.

The above benefit will also be extended to officers who are in receipt of Permanent Travelling Allowance and who are deputed for training at an outstation beyond their area of jurisdiction.

The amendment in the first paragraph shall be deemed, to have come into force with effect from December 15, 1970 and that in the second para from January 15, 1971.

#### **Government decision.**

Deduction of proportionate Permanent Travelling Allowance for the day on which Permanent Travelling Allowance is exchanged for mileage allowance will be made in accordance with the formula specified below.

[G.O.(P) 370/67/Fin.,  
dt. 18-8-1967]

If 'X' is the number of days of tour performed in a month (i.e., including the days for which Permanent Travelling Allowance is exchanged for mileage) and 'Y' the number of days on tour for which Permanent Travelling Allowance is exchanged for mileage, Permanent Travelling Allowance to be deducted will be  $Y/X \times \text{PTA}$  admissible for the month for 'X' days of tour.

(Permanent Travelling Allowance admissible for 'X' days has to be calculated in accordance with the Decision No. 2 under Rule 6, Kerala Service Rules, Part II.)

### **SUB-SECTION (III) - OFFICERS NOT IN RECEIPT OF PERMANENT TRAVELLING ALLOWANCE**

#### **SUBDIVISION (I) - DAILY ALLOWANCE**

55. Except where otherwise expressly provided in these rules, an officer not in receipt of Permanent Travelling Allowance draws Travelling Allowance for journeys on tour in the shape of daily allowance.

56. Daily allowance may not be drawn except during absence from headquarters on duty. A period of absence from headquarters begins when an officer actually leaves his headquarters and ends when he actually returns to the place in which his headquarters are situated whether he halts there or not.

*Note.-* If an officer of a vacation department combines tour with vacation i.e. proceeds on tour and avails of vacation without returning to his headquarters, he should be granted tour Travelling Allowance under these rules for the onward journey only.

#### **Ruling**

When two journeys are performed within a period of 24 hours, the period of absence from headquarters will be treated as one day irrespective of the fact that the journey was performed on two calendar days and the drawal of daily allowance will be regulated accordingly.

[G.O.(P) 405/65/Fin.,  
dt. 18-10-1965]

57. Daily allowance may not be drawn for any day on which a Government servant does not reach a point outside a radius of eight kilometres from the duty point (i.e. the place or office of employment) at his headquarters or return to it from a similar point.

[G.O.(P) 16/65/Fin.,  
dt. 6-1-1965]

*Note 1-* The term 'radius of eight kilometres' means a distance of eight kilometres by the shortest route by which a person can reach his destination by the ordinary modes of travel.

#### **Government Decision**

In the case of an Officer having his headquarters at Ernakulam, no daily allowance is admissible for journey to Mattancherry/Fort Cochin and vice versa, as he does not reach a point outside the radius of 8 Kms. This takes effect from 16th March 1964.

[Circular Memo  
92/64/EB4/Fin.,  
dt. 24-10-1964 and  
G.O.(P) 129/65/Fin.,  
dt. 8-4-1965]

*Note 2-* The Malabar Special Police and the District Armed Reserve Personnel stationed at Malappuram who have to halt for a period of ten days at Melmuri Rifle Range situated within eight kilometres from Malappuram in connection with the annual firing course there, shall be exempted from the operation of the above rule.

*Note 3-* Civilian staff of N.C.C. Department attending N.C.C. Camps within a radius of eight kilometres from their headquarters shall be exempted from the operation of the above rule.

[G.O.(P) 248/80/Fin.,  
dt. 17-4-1980]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1960.

58. Subject to the conditions laid down in Rules 59 and 60, daily allowance may be drawn during a halt on tour or on a holiday occurring during a tour.

*Note 1.-* An officer who takes casual leave while on tour is not entitled to draw daily allowance during such leave.

*Note 2-* Daily allowance is not admissible for any day, whether Sunday or holiday, unless the officer is actually and not merely constructively in camp.



*Note 3.-* In the case of enforced halt occurring en route on tour journeys necessitated by break down of communication due to blockade of roads and railways on account of floods, rains, landslides and other acts of God or delayed journeys or cancellations of schedules of motor conveyances, trains or air crafts, such periods of halts shall be treated as duty and the Government servant granted daily allowance at three-fourths of the rate applicable to him at the station in which the enforced halt takes place for the entire period of enforced halt after excluding the first day of such halt for which no daily allowance shall be allowed. Government in the Administrative Department in respect of Heads of Departments and the Heads of Departments in the case of their subordinate officers will be the authority competent to declare the periods of enforced halts as duty.

[G.O.(P) 254/67/Fin.,  
dt. 29-6-1967]

*Note 4.-* In respect of journeys involving an overnight halt at an intermediate station either due to non-availability of connecting service or due to the cancellation of connecting air service, half daily allowance will be allowed at the rate applicable to the intermediate station for each overnight halt (in addition to the allowance for incidental expenses admissible for air journeys) if the Indian Airlines Corporation does not provide at its expense any facility for boarding and lodging. Half Daily Allowance will also be given for similar enforced halts occurring between air and rail/road journeys on duty.

The above amendment shall be deemed to have come into force with effect from 24<sup>th</sup> December, 1970.

*Note 5.-* No daily allowance is admissible to a Government servant for the day on which he avails himself of a restricted holiday while on tour.

[G.O.(P) 254/67/Fin.,  
dt. 29-6-1967]

**59.**

A daily allowance may not be drawn for more than ten days of a halt at one place. But Heads of Departments in the case of their subordinates and the Government in the case of Heads of Departments, may grant exemption from the operation of this rule where they are satisfied :-

- (a) that prolonged halts are necessary in the interest of the public service, and
- (b) that such halts necessitate the maintenance of camp equipage, or where no camp equipage is maintained entail extra expense on the officer after the first ten days.

In such cases the daily allowance admissible will be -

- (a) full rate for the first ten days;
- (b) three-fourth rate for the next 20 days; and
- (c) half-rate thereafter.

But no allowance will be given for halts exceeding three months.

*Note 1.-* Officers deputed for training to Trivandrum, Ernakulam, Kozhikkode, and city outside the state of Kerala shall be paid daily allowance at full rate for the first 30 days and at  $\frac{3}{4}$  of the rate for the next 60 days, in relaxation of the restriction imposed in the above rule.

[G.O.(P) 837/78/Fin.,  
dt. 1-12-1978]

[G.O.(P) 1027/79/Fin.,  
dt. 23-11-1979]

This Rule shall be deemed to have come into force with effect from 1<sup>st</sup> August, 1982.

[G.O.(P) 416/83/Fin.,  
dt. 20-7-1983]

*Explanation.*—This note shall apply to the officers deputed for training to Delhi, Bombay and Calcutta with effect from the 1<sup>st</sup> December, 1978 and to those deputed for training to other cities outside the State with effect from the 10<sup>th</sup> July 1979.

[G.O.(P) 588/80/Fin.,  
dt. 11-9-1980]

*Note 2.*— Periods of absence on leave (including casual leave) will be included in computing the limits prescribed in this rule.

*Exception.*—The Circle Commander, No. 11 Circle Cadet Corps, Trivandrum will be competent to sanction Daily Allowance under the above rule, to the civilian staff of the establishment of the National Cadet Corps deputed for duty to camps.

This exception shall be deemed to have come into force with effect from 20<sup>th</sup> October 1962.

### **Ruling No. 1**

The sanction of competent authority for admitting daily allowance in excess of ten days would be necessary only when the number of full daily allowances drawn inclusive of the half daily allowance under Rule 63 exceeds ten; but the daily or half daily allowances, if any, admissible for the days of travel covered by Rule 60 (c) should be excluded in calculating the daily allowances.

### **Ruling No. 2**

Daily allowance will be allowed for the first three months at the rates specified in this rule even in cases of halts on tour exceeding three months.

**60.** For the purposes of Rules 57 to 59

- (a) After a continuous halt of ten days' duration, the halting place shall be regarded as the officer's temporary headquarters.
- (b) A halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding eight kilometres for a period including not less than three nights.
- (c) In calculating the duration of a halt, any day on which the officer travels or halts at a distance from the halting place exceeding eight kilometres shall be excluded. On such a day the officer may draw daily allowance or exchange it for mileage allowance, if admissible.

*Note.* - If an officer proceeds on earned leave after a halt on duty at an outstation and on termination of the leave resumes duty directly at the same halting station and remains thereon halt for some more days, the absence on leave should not be treated as interruption of halt, but the whole period should be treated as one continuous spell of halt, leaving out the leave period from the calculation of daily allowance.

### **SUBDIVISION (II) – MILEAGE ALLOWANCE AND ACTUAL EXPENSES IN PLACE OF OR IN ADDITION TO DAILY ALLOWANCE**

**61.** The Government may by general or special order and on such conditions as they think fit to impose, permit any officer, or class of officers to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters, if they consider that the nature of the officer's duty is such that daily allowance is not sufficient to cover his travelling expenses.

62. (a) Subject to any conditions which Government may by general or special order impose, an officer may exchange his daily allowance for mileage allowance on any day on which—
- (i) he travels by railway or steamer or plane or by any two of them or by all of them;
  - (ii) he travels more than 32 kilometres by road, provided that, if a continuous journey extends over more than one day, the exchange must be made for all such days and not for a part only of them.

*Note* - Short journeys within a radius of eight kilometres from headquarters may not be added to other journeys, when calculating the distance travelled by road or the amount of mileage allowance admissible for road journeys.

- (b) When a journey by road is combined with a journey by railway or steamer or plane under clause (i) of sub-rule (a) of this rule, mileage allowance may be drawn on account of such journey by road, but such mileage will be limited to the amount of daily allowance unless the journey by road exceeds thirty-two kilometres.

[G.O.(P) 16/65/Fin.,  
dt. 6-1-1965]

*Note* - If an officer halts at the outstation, and the place or places of duty visited be within the radius of 8 kilometres road mileage should always be from the Railway Station to the Chief Public Office, no matter where he proceeds first to the temporary residence or the place of duty.

#### Government decision

If an officer performs a direct journey by road between two places connected partly by road and partly by rail he will be entitled to T.A. at the following rates. Road mileage for the road portion upto the nearest railway station plus road mileage at the rates as provided in Rule 21, Part II, K.S.Rs for the portion connected by rail.

[G.O.(P) 115/76/Fin.,  
dt. 10-4-1976]

Eg; If an officer travels from Neyyattinkara to Quilon directly by road, he will be entitled to the admissible road mileage for the distance from Neyyattinkara to Trivandrum which is connected by road only and from Trivandrum to Quilon which is connected by rail at the rates as provided in Rule 21, K.S.R., Part II.

63. Daily allowance for halt on tour at an outstation will be calculated on the basis of the period of halt which will begin from the time the forward journey ends at the outstation and will end at the time the return or further journey commences. The rate of daily allowance will be calculated as follows :-

[G.O. (P) 83/68/Fin.,  
dt. 23-2-1968]

- |  |   |
|--|---|
| 1. Halt upto six hours   | Nil   |
| 2. Halt exceeding six hours but not exceeding twelve hours     | Half daily allowance  |
| 3. Halt exceeding 12 hours but not exceeding twenty four hours | Full daily allowance  |
| 4. Halt exceeding twenty four hours                            | One daily allowance for every 24 hours. For fraction of 24 hours at the end of halt, daily allowance will be calculated as indicated above. |

*Note 1.* - This concession is also admissible to officers who are entitled to daily allowance for halts on tour but whose journeys are regulated by Rules 103, 105 and 107.

*Note.2.* - Officers and men of Fire Force Department are exempted from the operation of the above rule. They will be eligible to draw full daily allowance whenever they make a journey to a place more than 8 km. from the fire stations in fire service vehicles in an emergency or to attend an ambulance call, irrespective of time limit or absence.

[G.O.(P) 266/73/Fin.,  
dt. 10-7-1973]

**Government decision.**

(i) The daily allowance admissible for halt at an outstation under this rule and the daily/mileage allowance admissible for the journey should be calculated separately, irrespective of whether the halt is preceded or followed by a journey which qualifies for daily or mileage allowance.

[G.O.(P) 240/78/Fin.,  
dt. 6-3-1978]

(ii) Rule 62 (a) refers to travelling by a Government servant on any day for a total distance exceeding 32 kilometres. The number of journeys in a day or whether any one or more of the journeys exceed 32 kilometres or whether each or the several journeys is less than 32 kilometres is not material. If the total travelling in a day exceeds 32 kilometres, he can exchange daily allowance for mileage allowance. If he does not so exchange he gets only one daily allowance for that day to cover all the journeys.

(iii) Daily allowance for halt under this rule is to be calculated after computing the total number of hours of halt at an outstation, irrespective of the total number of days of halt and whether or not the daily allowance is exchanged for mileage allowance.

(iv) In a case whether the Government servant, while on tour returns on the same day, to the first halting station from another outstation. Daily allowance, if admissible for the journey, may be exchanged for mileage allowance, subject to the provisions of Rule 62 but in addition to this allowance, no daily allowance for halt under Rule 63 is admissible even if the halt at another outstation exceeds six hours.

(v) If a Government servant halts at more than one station on the same day, daily allowance for halt may be calculated after computing the total hours spent on halt at all the outstations taken together. This proviso applies only if the halts at more than one station begin and terminate within the duration of 24 hours. If the duration of halt at the second station extends beyond 24 hours from the commencement of halt at the first outstation, daily allowance admissible for halt at the second station is to be reckoned separately

(vi) When a Government servant, on tour, visits various outstations on duty over a number of days, the total daily allowance admissible under this rule should not exceed the total daily allowance calculated on the basis of the total number of hours between the time of arrival at temporary residence duty point at the first outstation and the time of departure from the temporary residence/duty point at the last station of tour.

[G.O.(P) 321/70/Fin.,  
dt. 15-5-1970]

SUBDIVISION (III)– TRAVELLING ALLOWANCE ADMISSIBLE  
FOR JOURNEYS AND HALTS WITHIN EIGHT  
KILOMETRES OF HEADQUARTERS

**64.** Government may, by general or special, order permit any officer or class of officers to draw the actual cost of hiring a conveyance on a journey for which no Travelling Allowance is admissible under these rules.

*Note 1.*- When a nongazetted or last grade officer is despatched on duty to a place at some distance from his office, or is summoned to his office by special order, of a gazetted officer outside the ordinary hours of duty, the expenditure involved may be paid by Government and charged to contingencies provided—

- (a) That the head of the office certifies that the expenditure was actually incurred, was unavoidable, and is within the scheduled scale of charges for the conveyance used.
- (b) that the officer concerned is not entitled to draw Travelling Allowance under the ordinary rules for the journey, and that he is not granted any compensatory leave and does not and will not otherwise receive any special remuneration for the performance of the duty which necessitated the journey.

*Note 2.*- The teaching staff in all Government Training Schools and Government Training Colleges who undertake journeys for practice teaching will be paid allowance at the following rates per day for the actual number of days on which they perform journeys for practice teaching :-

- (i) When the distance is less than two kilometres no conveyance allowance will be allowed.
- (ii) When the distance is two kilometres or more but less than four kilometres—Rs. 2.
- (iii) When the distance is four kilometres or more but less than six kilometres— Rs.3.
- (iv) \*When the distance is six kilometres or more and no regular Travelling Allowance is admissible—Rs. 4.

Effective from 1<sup>st</sup> April 1961.

\*[G.O.(P) 145/76/Fin.,  
dt. 25-5-1976]

[G.O.(Ms.) 403/Edn.,  
dt . 17-7-1961

&

G.O.(P) 468/61/Fin.,  
dt . 20-11-1961]

*Note 3.*- Last grade officers deputed for treasury transactions within a radius of 8 kilometres will be paid an allowance at the rate of \*Rs.5 per day by debit to the contingencies of the Department concerned, when the distance to the treasury from the headquarters exceeds two kilometres or more but does not exceed 8 kilometres subject to following :

- (i) The allowance will be paid to such officers who are required under Article 284 of the Kerala Financial Code, Volume I to be engaged for cashing bills or remitting money into the treasuries when they are required to carry Rs.500 or more.

- (ii) The allowance will be paid only for journeys to or from the treasury which actually involve the carrying of money and not otherwise.
- (iii) The allowance will be paid only if no regular T.A. or other remuneration is payable for the day.
- (iv) The allowance will not be paid for more than three visits in a week with reference to a particular office.
- (v) The allowance will be admissible only if the officer is using his own conveyance or engaging one for hire, if conveyance is used no allowance will be payable.
- (vi) The payment of the allowance will be extended to cases in which the officers have to travel more than two kilometres from the office to the State Bank for collection and remittance of cash even though the treasury is situated at a place within a distance of less than two kilometres from the headquarters.

\*Effective from 15<sup>th</sup> December 1980.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

*Explanation.*—For the purpose of determining the distance of two kilometres from headquarters, the duty point at the headquarters should be taken as the place or office where the Government servant normally remains on duty.

### SECTION III – JOURNEYS ON TRANSFER

- 65.** Travelling Allowance may not be drawn under this section by an officer on transfer from one station to another unless he is transferred for the public convenience and is entitled to pay during the period occupied by the journey. A transfer at his own request should not be treated as a transfer for the public convenience unless the authority sanctioning the transfer, for special reasons which should be recorded, otherwise direct.

*Note 1.* - An officer appointed to a post under Government as a result of selection by the Public Service Commission should be granted T. A. as on transfer for joining the post if he already holds a substantive appointment under Government, the Government of India or any other State Government.

*Note 2.* - The Travelling Allowance of officers for journeys on temporary transfers and relieving duties of not more than two months' duration will, however, be limited to the allowances that would have been admissible if such journeys were journeys on tour. Daily allowance as for halt on tour will also be allowed for halts, at the new temporary headquarters in such cases. When, however, the period of transfer is subsequently prolonged to more than two months, the officer concerned will be allowed to draw the Travelling Allowance otherwise admissible for journeys on transfer, deducting that had been drawn already. Where, however, the amount already drawn is larger than what is admissible for journeys on transfer, no refund need be made.

[G.O.(P) 271/64/Fin.,  
dt. 14-5-1964]

“Temporary transfer” means a transfer to duty in another station which is expressed to be for a period not exceeding two months.

**Government decision No.1**

A transfer which is not specifically stated to be temporary will be treated as permanent. All transferring authorities in cases of temporary transfers of relieving duties should specify in the order of transfer, the nature of the transfer.

[G.O.(Ms.)484/61/Fin.,  
dt. 29-11-1961]

**Government decision No. 2**

In the case of temporary transfers all transferring authorities should specify in the order itself that the transfer, is temporary not exceeding two months.

[G.O. (Ms.) 272/64/Fin.,  
dt. 14-5-1964]

*Note 3.* - In cases where husband and wife are both State Government employees and one of them is transferred at the same time or within six months of transfer of the other, from one and the same old station to one and the same new station, transfer T.A. will not be admissible to both of them as independent Government servants. Either of them will be allowed to claim transfer T.A. the other being treated as a member of his/her family not in the State Government's employment on furnishing the following certificate. :-

'Certified that my wife/husband who is employed under the State Government and who has been transferred from..... to ..... within six months of my transfer has not already claimed any transfer T.A. consequent on her/his transfer.'

- 66.** An Officer may draw mileage allowance for journey on transfer.
- 67.** (a) Unless in any case it be otherwise expressly provided in these rules, an officer is entitled for a journey on transfer to the following:-

I. FOR JOURNEYS BY RAIL OR STEAMER

- \* (i) If the journey is by rail he may draw mileage allowance at twice the rate applicable to him under sub-rule (a) of Rule 20 and if the journey is by steamer three fares of the class of accommodation to which he is entitled, the fares being limited to the lowest rate of such class of accommodation. If the journey is actually performed by first class by a First Grade or Second Grade Officer and the necessary certificate to this effect is produced, the officer may claim a single railway fare and three times the incidental expenses admissible to him under sub-rule (b) of Rule 20.
- \* (ii) He may draw additional mileage allowance at the rate applicable to him under Rule 20 or Rule 44 as the case may be, if two adult members of his family accompany him, and at twice that rate if more than two members accompany him. If the journey is actually performed by first class by members of the family accompanying a First Grade or Second Grade Officer, he may draw an extra fare for each adult member of his family for whom full fare is actually paid and one half fare for each child for whom such fare is actually paid.
- (iii) He may draw the actual cost of carriage by goods train, steamer or other craft, of personal effects upto the following maxima :-
- (a) Officers whose actual pay is  
\*Rs.1500 and above and  
officers belonging to the All  
India Services.

2240 Kilograms

- |   |                |
|---|----------------|
| (b) Officers whose actual pay is<br>*Rs. 650 and above but below<br>*Rs. 1500 | 1120 Kilograms |
| (c) All other officers  | 560 Kilograms  |

In addition to the above concession, loading and unloading charges of personal effects to officers transferred in public interests will be allowed as specified below :-

- (1) *Officers of the First Category.*— Actual charges for packing and loading of personal effects at one end and for unloading and unpacking at other end subject to a maximum of Rs. \*70 at each end.
- (2) *Officers of the Second Category.*—Actual charges for the above purpose subject to a maximum of \*Rs.30 at each end.
- (3) *Others.*—Actual charges for the above purpose subject to a maximum of \*Rs.15 at each end.

\*Effective from 1<sup>st</sup> September 1985.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

*Note 1.*- In the case of journeys on transfer performed by First or Second Grade Officers by Mail/Express Train and actual First class fares for travel by such trains are claimed, a certificate to the effect that the journey was performed by First class by Mail/Express Train should be recorded by the claimant on the Travelling Allowance bill.

[G.O.(P) 186/89/Fin.,  
dt. 29-3- 1989]

*Note 2.*- If an officer carries his personal effects by passenger instead of by goods train he may draw the actual cost of carriage upto a limit of the amount which would have been admissible had he taken the maximum number of kilograms by goods train.

*Note 3.*- An officer who carries his personal effects by road between places connected by rail may draw actual charges upto the limit of the amount which would have been admissible had he taken the same quantity by goods train. Loading and unloading charges as well as packing and unpacking charges will be allowed in such cases also. In cases where the actual expenses claimed exceed the limit mentioned above, the controlling authority may, for valid reasons, allow such claims subject to the limit of the amount which would have been admissible, if the maximum number of kilograms had been transported by goods train.

*Note 4.*- The claim for transport of personal effects between places connected partly by road and partly by rail shall be regulated as follows:-

(1) For the rail portion.- As in Rule 67 (a) I (iii) and Note 2 or 3 of Rule 67 (a) I (iii)

(2) For the road portion.- As in Rule 67 (a) II (iii).

[G.O.(P) 311/66/Fin.,  
dt. 13-7-1966]

### **Ruling**

Places where a railway station is situated within eight kilometres from the central point of the respective localities, will be treated as places connected wholly by rail, for purposes of calculation of charges for transport of personal effects on transfer.



*Note 5.* - Subject to the prescribed maximum number of kilograms an officer may draw the actual cost of transporting personal effects to his new station from a place other than his old station (e.g., from a place where they are purchased en-route or have been left on the occasion of a previous transfer) or from his old station to a place other than his new station, provided that the total amount drawn including the cost of transporting these personal effects shall not exceed that admissible had the maximum admissible number of kilograms been transported by goods train from the old to the new station direct.

(iv) Provided that –

- (1) the distance travelled exceeds 150 kilometres;
- (2) the officer is travelling to join a post in which the possession of a conveyance is advantageous from the point of view of his efficiency, or is travelling after being relieved from a post in which the possession of a conveyance was advantageous from the point of view of his efficiency; and
- (3) Conveyances are actually carried by rail, steamer or other craft;

he may draw the actual cost of transporting at owner's risk conveyances, on the following scales:-

- |     |   |                               |
|-----|---|-------------------------------|
| I   | Grade Officers  | A motor car.                  |
| II  | Grade Officers in receipt of actual pay of *Rs.1500 and above | A motor car or a motor cycle. |
| II  | Grade Officers whose actual pay is below *Rs.1500             | A motor cycle.                |
| III | Grade Officers  | An ordinary cycle             |

\*Effective from 1<sup>st</sup> September 1985.

[G.O. (P) 186/89/Fin.,  
dt. 29-3-1989]

*Note 1.* - In the case of the motor car, the cost of transporting a chauffeur or cleaner may also be drawn.

### **Ruling**

When the officer transports his motor car by rail he may draw one railway fare for III class accommodation in respect of the chauffeur or cleaner, provided he certifies that the chauffeur or cleaner actually travelled by rail on the section for which the transportation charges of motor car by rail are claimed.

[G.O. (P) 35/64/Fin.,  
dt. 20-1-1964]

*Note 2.* - When an officer transports his motor car or motor cycle by road under its own power between stations connected by rail or steamer or partly by rail and partly by steamer he may draw an allowance of \*14 paise per kilometre in respect of the motor car and \*7 paise per kilometre in respect of the motor cycle, the distance to be reckoned for the purpose of the concession being limited to the distance between the stations by rail or steamer or both combined, as the case may be. If the officer himself travels by car or motor cycle he may draw the fares admissible under clause (a)1 (i). For any member of his family who travels by the car or motor cycle, the officer may draw the extra fare or half fare which should have been admissible under clause (a) I (ii) if the member had travelled by rail or steamer.

\*Effective from 1<sup>st</sup> September 1985.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

### **Ruling**

When the motor car is transported by road under its own power, no railway fare for chauffeur or cleaner is admissible. The allowance of 14 paise per kilometre for the motor car transferred under its own power includes the travelling expenses of the cleaner or chauffeur travelling in the car.

[G.O.(P) 35/64/Fin.,  
dt. 20-1-1964]

### **II. FOR JOURNEYS BY ROAD**

- (i) He may draw mileage allowance at twice the rate applicable to him under Rule 31 and Rule 44 or any rate applicable to him, which has been fixed under Rule 32, as the case may be.
- (ii) He may draw additional mileage allowance at the rate applicable to him under Rule 31 or Rule 44 or any rates applicable to him, which has been fixed under Rule 32, as the case may be, if two members of his family accompany him, and at twice that rate if more than two members accompany him.

*Note.* - Officers of the First Grade on transfer from one station to another shall be entitled to the higher rate of mileage for all journeys irrespective of the distance travelled per day or the nature of the conveyance used, except in the case of journeys on temporary transfers and relieving duties of not more than two months' duration.

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

### **Government Decision**

Children below five years can be counted as members of a family for the purpose of claiming road mileage under the rule referred to above.

[G.O.(Ms) 817/64/Fin.,  
dt. 21-12-1964]

- (iii) For the transportation of personal effects within the limits

prescribed in sub-clause I (iii) of this clause he may draw the actual cost of transport limited to the mileage allowance at thrice the rate applicable to him.\*

\*[G.O.(P) 311/66/Fin.,  
dt. 13-7-1966]

- (b) The following explanations are given for the terms employed in clause (a) of this rule:-

- (i) The term 'personal effect' is not subject to definition, but the controlling officer must satisfy himself that a claim to reimbursement on account of transportation is reasonable.
- (ii) The term 'motor cycle' includes a side car.

(iii) A member of an officer's family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. If such member travels to the new station from a place other than the officer's old station the officer may draw the actual fare for the journey made by such member by rail or steamer plus the road mileage, if any, at the rate and subject to the conditions prescribed in clause (a) II (ii), for the actual distance of the road journey performed by such member, provided that their sum shall not exceed the total mileage allowance that would have been admissible had such member proceeded from the old to the new station. For the purposes of this rule, the grade of an officer should be determined with reference to the facts on the date of his transfer while the number of fares admissible should be determined with reference to the facts on the date of the journey in respect of which the allowance is claimed.

#### **Ruling No. 1**

In case an officer's family performs the journey to the new station from a place other than the old station by a lower class of accommodation than the class of entitlement (in the case of journeys by rail or steamer), the mileage that would have been admissible had the member proceeded from the old station to the new station would be reckoned on the basis of the class by which the journey was actually undertaken.

[G.O.(P) 290/66/Fin.,  
dt. 1-7-1966]

#### **Ruling No. 2**

If the members of his family have joined the Government servant at the new station, within six months after the date of his transfer, they will be eligible for Travelling Allowance for their journey from the old station to the new station though they may later on decide to proceed to some other station.

(c) An officer who claims higher Travelling Allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the number and relationship of the said members.

(d) An officer claiming the cost of transporting personal effects must support his claim by a certificate that the actual expense incurred was not less than the sum claimed and that only goods belonging to him and his family were carried. All vouchers claiming transporting charges of personal effects by road should

[G.O.(P) 279/67/Fin.,  
dt. 15-7-1967]

invariably mention the number of the lorry or other conveyance by which, and the number of the house from and to which the personal effects were transported. The officer should also state in the certificate the weight of the personal effects actually carried and the amount actually paid for their transport separately by rail, road, steamer or other craft and the controlling officer should record a certificate that he has scrutinised the details and satisfied himself that the claim is reasonable. The payees' receipt for the charges paid for the transport of personal effects should be attached to the bills.

(e) An officer claiming the cost of transporting a conveyance by rail or steamer must support his claim by railway or steamer receipt. He should also produce a certificate that the conveyance belonged to him. The receipt shall be attached to the bill.

[G.O.(P) 279/67/Fin.,  
dt. 15-7-1967]

(f) 'Family' for the purpose of these rules includes the officer's wife, children and step-children residing with and wholly dependent on him. Not more than one wife is included in a family for the purpose of these rules. In the case of a female officer the 'family' will include the 'husband' also provided he is residing with and wholly dependent on her (the female officer).

*Note 1-* Charges for the transport of personal effects of an officer on transfer may be admitted in audit, if they do not for good and sufficient reasons accompany him but are carried within a reasonable time before or after the date of his journey on transfer.

*Note 2-* The expression 'date of his transfer' occurring in the first sentence of Rule 67 (b) (iii) means the date on which the officer takes over charge at the new station in case his family follows him or the date on which he hands over charge at the old station in case his family precedes him.

*Note 3-* Claims preferred under this rule for the carriage of personal effects should be admitted in all cases at the lowest available rates for "smalls,"

"Smalls" are defined as goods which of themselves do not constitute a working load for the unit of railway transport, the wagon. The minimum load constituting a wagon load is specified, by each of the railways who quotes reduced rates for wagon loads, in its tariffs.

*Note 4-* In cases where an officer is transferred from Station A to Station B and again transferred within a reasonably short time to Station C he may be allowed to recover the cost of carriage of personal effects from Station A to Station C subject to the conditions—

(1) that the total weight carried from Station B to Station C and from Station A to Station C does not exceed the maximum limit prescribed in the rule, and

(2) that the total cost of transporting the effects from Station A to Station B, from Station B to Station C and from Station A to Station C does not exceed the amount admissible from Station A to Station B plus that admissible from Station B to Station C.

*Note 5-* When an officer transports more than the maximum quantity admissible by a cheaper route, he can draw actual charges not exceeding the amount admissible for the maximum quantity by the normal recognised route.

*Note 6-* A motor car may be treated as a part of personal effects in cases where an officer is not entitled to its free transport in addition to personal effects.

**68.** An officer transferred from one post to another who under the orders of competent authority is permitted to hand over charge of his old post or to take over charge of the new post at a place other than the headquarters is entitled to -

[G.O. (P)186/89/Fin.,  
dt. 29-3-1989]

(i) Travelling Allowance as on tour from his old headquarters to the place of handing over charge and from the place of taking over charge to the new headquarters.

- (ii) all concessions admissible under sub-rule (a) of rule 67 for journey from the old to the new headquarters minus what will be admissible to the Officer, for journey as on tour from the old to the new headquarters.

**69.** An officer whose headquarters are changed while he is on tour, and who proceeds to his headquarters without returning to his old, is entitled to—

(i) Travelling Allowance as on tour for his journey upto the new headquarters;

(ii)\*all concessions admissible under sub-rule (a) of rule 67 from the old to the new headquarters minus what will be admissible to the Officer for a journey as on tour from the old to the new headquarters.

\*[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

**70.** If the family of an officer, in consequence of his transfer, travels to a station other than the new headquarters; Travelling Allowance for the journey of the family may be drawn subject to the conditions that it does not exceed the Travelling Allowance that would have been admissible if the family had proceeded to the new headquarters station.

**71.** An officer appointed to a new post while in transit from one post to another is entitled to draw Travelling Allowance under this section for so much of the journey on transfer as he had accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station.

**72.** An officer, who goes on leave not exceeding four months after he has given over charge of his old post and before he has taken charge of his new post, is entitled, whether the order of transfer is received before or after the commencement of his leave, to Travelling Allowance under this section as for a journey from his old to his new post.

**72A.** When a Government servant whose case is not covered by Rule 72 is posted to a station other than that at which he was stationed before he went on leave, the controlling officer may permit him to recover the Travelling Allowance under sub-rules I (iii) and (iv) or II (iii), as the case may be, of Rule 67 (a) as for a journey from his old to the new station.

[ G.O.(P) 295/84/Fin.,  
dt. 12-6-1984]

**73.** When an officer of the Government is transferred to the administrative control of another Government which has made rules prescribing amounts and conditions of Travelling Allowances, his Travelling Allowances for the journey to join his post under that Government and for the return journey will be governed by the rules of that Government regulating Travelling Allowances on transfer.

*Note.*— The controlling officer for the purpose of Travelling Allowance for the journey of an officer to join his post under a borrowing Government as

well as for the return journey will be the controlling officer in regard to his post under that Government.

#### **SECTION IV—JOURNEY TO JOIN NEW APPOINTMENT**

**74.** Except as otherwise provided in these rules Travelling Allowance is not admissible to any person for the journey to join his first appointment in Government service.

75. When a pensioner, or an officer who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is reappointed to Government service, the Government may permit him to draw Travelling Allowance. Travelling Allowance under this rule should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.
76. When mileage allowance is drawn under Rule 75 the rate admissible is that of the grade to which the officer will belong after joining his post.

**SECTION V—JOURNEY TO ATTEND AN EXAMINATION**

77. An officer is entitled to draw Travelling Allowance for the journey to and from the place at which he appears for an obligatory departmental examination, provided that Travelling Allowance shall not be drawn under this rule more than twice for any particular examination.

*Note 1.*- If a Government servant actually performs the journey to the place of examination, but is not able to appear for the examination because of its cancellation at the last moment Travelling Allowance may be sanctioned to him by the Government/the Head of Department concerned after due verification of the facts. This concession will be admissible only if the intimation regarding the cancellation did not reach the Government servant before the commencement of the journey and the journey did not commence too early, i.e. the date of its commencement was not in advance of the schedule date of the examination by more than the minimum number of days required for performing the journey.

[G.O.(P) 21/67/Fin.,  
dt. 18-1-1967]

*Note 2.*- If the place where the Government servant works is a centre for the departmental examinations, he shall not be eligible for Travelling Allowance for appearing for the examinations at another centre under this rule, except in case where he has to appear for the examination at that centre owing to reasons beyond his control.

[G.O.(P) 80/76/Fin.,  
dt. 10-3-1976]

78. The Government may permit an officer to draw Travelling Allowance for the journey to and from the place at which he appears for an examination other than those specified in Rule 77.
79. Travelling Allowance under this section should be calculated as for a journey on tour but no allowance may be drawn for halts on the journeys.

**SECTION VI—JOURNEY WHEN PROCEEDING ON OR RETURNING FROM LEAVE**

80. Except as otherwise provided in these rules, an officer is not entitled to any Travelling Allowance for a journey made during leave or while proceeding on or returning from leave.
81. The Government may, for special reasons which should be recorded, permit any officer to draw, for a journey of the kind specified in Rule 80 Travelling Allowance as for a journey on tour.
82. (a) When an officer is compulsorily recalled to duty before the expiry of his leave and the leave is thereby curtailed by not less than one month, he is entitled to draw mileage allowance for the journey from the place at which the order of recall reaches him. If the period by which the leave is curtailed is less than a month, mileage allowance may be allowed at the discretion of the authority recalling the officer.

- (b) If the officer recalled to duty is entitled to Travelling Allowance under Rule 72 he may not draw mileage allowance under clause (a) unless he abandons his claims to the mileage allowance specified in Rule 66, Rule 67 (a) I (i) and Rule 67 (a) II (i).

83. If a nongazetted officer, on compulsory recall from leave exceeding four months, is posted to a station other than that from which he went on leave, he may, if his new station is distant more than 80 kilometres from his old station, draw in addition to the allowance admissible under sub-rules I (ii) and (iv) and II (iii) of Rule 67 (a) Travelling Allowance for his family under Rule 67 for the journey from the place at which the order of recall reaches him to the new station; provided that the amount so drawn shall not exceed the amount admissible under Rule 67 for the journey from the old to new station.

#### **SECTION VII—JOURNEY FOR JOINING FIRST APPOINTMENT**

84. In the following cases Travelling Allowances are admissible for joining a first appointment:-
- (1) To any person appointed to the Public Works the Medical or any other department in any capacity requiring technical skill or knowledge for which he has been specially trained.
  - (2) To recruit constables enlisted for service at the other district headquarters, for joining their first appointment at Trivandrum.

*Note.*— Teachers deputed for training from Departmental Schools are entitled to Travelling Allowance under the ordinary rules, for their journey to and from the Training School or College.

#### **SECTION VIII—JOURNEYS DURING SUSPENSION OR TO GIVE EVIDENCE OR TO ATTEND A COURT OF LAW AS ASSESSOR OR JUROR OR IN CONNECTION WITH THE DEFENCE OF A CASE INSTITUTED AGAINST AN OFFICER FOR ACTS DONE IN HIS OFFICIAL CAPACITY**

85. (a) (i) An officer under suspension who is required to perform any journey for attending any departmental enquiry (other than police enquiry) or called upon to appear before the Disciplinary Proceedings Tribunal may be allowed, for the onward and return journeys, Travelling Allowance as for a journey on tour from his head quarters to the place at which the departmental enquiry or disciplinary proceedings, as the case may be, is or are held or from the place at which he has been permitted to reside during suspension to the place at which the departmental enquiry or

disciplinary proceedings, as the case may be, is or are held, whichever is less. No Travelling Allowance will, however, be admissible if the enquiry or disciplinary proceeding as the case may be, is or are held at an outstation at his own request.

[G.O. (P) 385/67/Fin.,  
dt. 26-8-1967]

(ii) An officer under suspension, if reinstated in service, pending finalisation of the enquiry or disciplinary proceedings initiated against him, and posted to a station other than the one where he was working at the time of his suspension may be allowed Travelling Allowance for his journey to the new station as for journey on transfer from the old station or from the place where he has been permitted to reside during suspension whichever is less. The grade of the officer and his Travelling Allowance for the journey shall be determined on the basis of his pay in the post he was holding at the time of his suspension or the pay in the post to which he is reinstated whichever is lower.

[G.O.(P) 601/78/Fin.,  
dt. 3-8-1978]

(iii) If an accused officer, whether under suspension or not, against whom disciplinary proceedings have been initiated retires from service in the course of the proceedings or if an officer against whom disciplinary proceedings are initiated after his retirement and is called upon to appear before Disciplinary Proceedings Tribunal/Disciplinary Authority/Enquiry Authority properly constituted under competent authority for holding the enquiry will be allowed for the onward and return journey Travelling Allowance as for a journey on tour from his place of residence to the place where the enquiry is held.

*Note.* - His Travelling Allowance will be regulated by the grade to which he belonged prior to his suspension/retirement.

[G.O. (P) 159/73/Fin.,  
dt. 23-5-1973]

(b) An accused officer, if not under suspension, when called upon to appear before a Disciplinary Proceedings Tribunal/Disciplinary Authority/Enquiry Authority, properly constituted under competent authority for holding the enquiry, may be allowed, for the onward and return journeys, Travelling Allowance as for a journey on tour from his headquarters.

[G.O. (P) 436/65/Fin.,  
dt. 19-11-1965]

In case the accused officer is on leave and is permitted to reside at a place other than his headquarters during the leave, he may be allowed Travelling Allowance as for a journey on tour from his headquarters or from the place of his residence whichever is less. No Travelling Allowance will, however, be admissible if the enquiry is held at the outstation at his own request.

*Note.*—In the cases covered by Rule 85, no allowance for halts on journeys or at the outstation where the enquiry is held will be allowed.

**86.** The following provisions apply to an officer who is summoned to give evidence :-

(a) In a criminal case, a case before a court-martial, a civil case to which Government is a party or a departmental inquiry held by a properly constituted authority within the State :

(i) He may draw Travelling Allowance as for a journey on tour attaching to his bill a certificate of attendance given by the Court or other authority which summoned him.

(ii) When he draws such Travelling Allowance, he may not



accept any payment of his expenses from the court or authority. Any fees which may be deposited in the court for travelling and subsistence allowance of the witness must be credited to Government.

- (iii) If the court in which he gives evidence is situated within eight kilometres of his headquarters and no Travelling Allowance is therefore admissible for the journey he may, if he is not in receipt of Permanent Travelling Allowance, accept such payment of actual travelling expenses as the court may make.
- (b) Officials employed by the Central Government or by the Government of any of the States appearing in cases in which the State is a party, as witnesses on summons before the Criminal Court of this State to give evidence regarding facts of which they have official knowledge, will, on production of certificates of attendance issued by the courts before which they appear as witnesses, be paid Travelling Allowance by the Government by whom they are employed at their own rates. In cases where the State is not a party, such officials will be paid Travelling Allowance by the summoning court according to its own rules and the charges will be borne by the State within whose limits the summoning court is situated.

When any of the Governments requisitions the services of an official of a commercial department as a witness or any other official as a technical or expert witness within the meaning of section 45 of the Indian Evidence Act, 1872, the pay of the official concerned for the period of his absence from his headquarters and Travelling Allowance and other expenses due to him will be borne by the requisitioning Government. The Travelling Allowance in such cases will be regulated by the Travelling Allowance Rules applicable to the official summoned. The charges will, in the first instance, be borne by the Government under whom he is employed and will be passed on after audit for payment to the requisitioning Government.

- (c) A person formerly in the service of the Government summoned to give evidence under the circumstances mentioned in clause (a) above shall be entitled to receive Travelling Allowance (as for journeys on tour) at the rate admissible to the person, when last in the service of the Government or if he is at the time employed under a fund administered by the Government at the rates admissible for the appointment under the fund. He will be paid batta and Travelling Allowance by the court which summoned him as witness from the allotment under 'Witness batta' according to the rule of the court, but if he is entitled under this clause to more than what is allowed by the court, the difference will be paid by the department in which the officer was last serving. Bills for such claim should be supported by certificate similar to that referred to in clause (a) (i) above and showing the amount of the allowances paid by the court.

*Note 1.*- An officer summoned to give evidence while on leave is entitled to Travelling Allowance under this rule from and to the place from which he is summoned as if he were on duty.

*Note 2.*- The T.A. claims of officers summoned by Civil Courts in any other State

will be settled in accordance with the reciprocal arrangements entered into between this State and such other State.

*Note 3.*—T.A. claims of officers summoned as witnesses in departmental enquiries in other States are regulated by the reciprocal arrangements made with the respective State Governments. Government have accordingly entered into the following reciprocal arrangements with the Governments of Mysore and Tamil Nadu in this regard.

In departmental enquiries to which the State is a party, a Government servant giving evidence regarding facts of which he has official knowledge will on production of a certificate of attendance by the summoning authority, be paid T.A. by the Government under whom he is serving.

In departmental enquiries to which the State is not a party, a Government servant giving evidence regarding facts of which he has official knowledge will be paid T.A. by the summoning authority according to the rules under which the Government servants draws his Travelling Allowance or a journey on tour on production of a certificate signed by the Controlling Officer showing the rates of T.A. and D.A. admissible to him for a journey on tour. If the Government servant is his own controlling officer, the certificate will be signed by him as such. The expenditure on account of T.A. and D.A. paid by the summoning authority will be borne by the Government within the territory of which that authority is situated.

- 86A.** If an officer undertakes a journey in connection with a civil or criminal case instituted against him or acts done in his official capacity and the defence of such case has been sanctioned by the competent authority such an officer may be granted Travelling Allowance admissible to an officer of his grade while on tour.
- 87.** An officer summoned to give evidence in circumstances other than those described in Rule 86 or to serve as an assessor or juror in a court of law is not entitled, by reason of his position as an officer, to any payments other than those admissible by the rules of the court. If the court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses, he must credit that sum to Government before drawing full pay for the day or days of absence.
- 87A.** If an Officer undertakes a journey on a summons from an investigating Police Officer, in a criminal case, such Officer may be granted Travelling Allowance admissible to him while on tour if he is not an accused in the criminal case.

[G.O.(P) 216/81/Fin.,  
dt. 2-4-1981]

This amendment shall be deemed to have come into force with effect from 2<sup>nd</sup> April 1981.

**SECTION IX—JOURNEYS TO OBTAIN MEDICAL TREATMENT, ADVICE OR CERTIFICATE OR TO APPEAR BEFORE A MEDICAL BOARD**

- 88.** Travelling Allowance is not admissible for a journey undertaken to procure health certificate on first appointment to Government service.
- 89.** If, in order to obtain anti-rabic treatment, an officer is compelled to leave a station at which he falls ill and at which anti-rabic treatment

is not available, and travels to the nearest station where the treatment is available he may on production of a certificate from his authorised medical attendant that the journey was in his opinion absolutely necessary, draw Travelling Allowance for the journey. This concession is admissible also to an officer on leave.

- 89A.** A Government servant suffering or suspected of suffering from tuberculosis may on production of a certificate from a T. B. Specialist that the journey was in his opinion absolutely necessary, draw Travelling Allowance in accordance with the rules for his journey to the nearest Government Medical Institution and back in connection with his medical examination and periodical check-up. This concession is admissible also to an officer on leave. [G.O. (P) 775/64/Fin., dt. 19-11-1964]
- 90.** If an officer, being stationed where there is no medical officer, of Government, is required to obtain a medical certificate from a medical officer of Government in support of an application for an original grant of leave he may draw Travelling Allowance for the journey undertaken to obtain that certificate.
- Note.* - Travelling Allowance is not admissible for a journey to obtain a medical certificate in support of an application for an extension of leave.
- 91.** If an officer, having obtained a medical certificate in support of an application for an original grant of leave, is required to appear before a medical board, or to appear before a nominated medical officer of Government for further opinion as to the necessity for the leave recommended in that certificate, he may draw Travelling Allowance for the journey undertaken to obtain that opinion.
- Note.* - Travelling Allowance is not admissible for a journey to obtain a second medical opinion in support of an application for an extension of leave, but Travelling Allowance is admissible for a second or subsequent journey, if necessitated, to obtain the certificate for the original grant of leave.
- 92.** The journeys contemplated by Rule 90 and Rule 91 should not be undertaken without the previous permission of the controlling officer, if such permission can be obtained without risk to the officer requiring medical service.
- 93.** (a) An officer who is directed by his official superior in the interests of the public service, to apply for an invalid pension, may, if he is required to make a journey in order to appear before a medical board, draw his actual travelling expenses, subject to a maximum of the amount of Travelling Allowance calculated for the journey. If it is necessary for him to return to his headquarters after appearing before the medical board he may draw his actual expenses subject to the same maximum. In both cases his Travelling Allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interests of public service and that he did not voluntarily ask to retire.
- (b) A competent authority may allow actual expenses, as limited by clause (a) of this rule, to be drawn by an officer who voluntarily applies for an invalid pension, provided that the authority is satisfied that the circumstances of the applicant are such as to justify the concession.
- 94.** Except as provided for in Rule 91 and Rule 93 no Travelling Allowance is admissible for a journey undertaken in order to appear before a medical board.

95. (a) Travelling Allowance under Rules 89 to 94 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.
- (b) (i) All India Service Officers who perform journeys to seek medical advice/treatment under the All India Services (Medical Attendance) Rules, 1954 will be given Travelling Allowance for the journeys, as on tour.
- (ii) No daily allowance will be allowed for the halts made in this connection.
- (iii) The family members of these officers will be allowed single first class railway fare (i.e. the class of accommodation to which the officers themselves are entitled) or single fare of any lower class by which the patient actually travels for consulting a Government Specialist on the advice of the authorised Medical Attendant.

**SECTION X—JOURNEYS IN ATTENDANCE ON AN INCAPACITATED OFFICER OR MEMBER OF HIS FAMILY**

96. A medical officer of Government who considers that an officer on whom it is his duty to attend professionally should leave his station to obtain medical advice or treatment or to proceed on leave, and that it is unsafe for him to travel unattended, may if he does not himself accompany him, arrange for an attendant, to do so; and the attendant (a) if an officer, shall be deemed to have been travelling on duty and may draw Travelling Allowance for the onward and return journey as for a journey on tour, and (b) if not an officer, may draw actual expenses.

When the medical officer's opinion as to the necessity for the journey and for an attendant during it, cannot be obtained before its commencement, a certificate from him that the journey with an attendant was necessary is sufficient for the purpose of this rule.

**SECTION XI—JOURNEYS ON A COURSE OF TRAINING**

97. When an officer or a student not already in government service is selected to undergo a course of training, Government may decide the scale, if any on which he shall draw—
- (a) Travelling Allowance for the original journey to and the last journey from the place of training, and for halts at such place;
- (b) in the case of training at a school, college or similar institution, Travelling Allowance for similar journeys on the occasion of holidays and vacations; and
- (c) Travelling Allowance for journeys during the course of training:

Provided that the scale so fixed shall not exceed that admissible to officers of similar status on duty at the place of training.

98. (a) An officer deputed to undergo a course of training, if the course of training exceeds three months, may draw Travelling Allowance under the rules for journeys on transfer irrespective of whether the training is at a fixed centre or not. If the course of training does not exceed three months, the rules which govern journeys on tour shall apply.

*Note.* - In case where the period of training of the officer exceeds three months, transfer Travelling Allowance for the family of the Officer will also be allowed if there is specific permission granted by the competent authority to take the family of the Officer to the place of training. This aspect should be specifically considered and appropriate orders issued while issuing sanction for deputation of Officers for training.

[G.O. (P) 209/81/Fin.,  
dt. 30-3-1981]

- (b) If in a training school, a vacation is allowed, no Travelling Allowance is admissible for journeys from and to the school unless for the purpose of a practical course of training which is required to be undergone at another station during such vacation.

#### SECTION XII—JOURNEY OF THE FAMILY OF AN OFFICER WHO DIES IN SERVICE

99. (1) If an officer dies while in service, members of his family will be granted Travelling Allowance for the journey to his home or to any other place where they may wish to reside whether it is inside or outside the State \*either from his headquarters or from the place of his death, provided that the amount shall not exceed what would be admissible for a journey from the officer's headquarters to his home.

*Note.* - For the purposes of this rule the headquarters of an officer on leave shall be considered to be the place of his headquarters where he was last on duty.

- (2) The rates of Travelling Allowance shall be those which would be admissible under the rules for a journey on transfer less that admissible to the officer.
- (3) The family should perform the journey within three months of the death of the Government employee and the Travelling Allowance should be claimed as soon as possible after the journey is over. The Travelling Allowance may be drawn in advance if the officer drawing the bill is satisfied that the journey will be made.
- (4) Bills will be drawn and countersigned by the officers authorised to deal with the bills of the deceased Government employee, if the deceased officer is a nongazetted officer and if the officer is a gazetted officer, the bill will be countersigned by his superior officer.
- (5) \*[Deleted]

\*[G.O. (P) 277/75/Fin.,  
dt. 30-6-1975]

#### Ruling

The term "Travelling Allowance" mentioned in this rule includes cost of transportation of personal effects also.

#### SECTION XIII—JOURNEY OF AN OFFICER AFTER RETIREMENT

- 99A. Travelling Allowance will be allowed to an officer on retirement to enable him to proceed to any place within or outside\* the State where he proposes to settle down after retirement subject to the following conditions :-

\*[G.O. (P) 44/78/Fin.,  
dt. 10-1-1978]

- (i) The concession will be given only in cases of retirement on superannuation, or on invalid, retiring or compensation pension, or with effect from 30<sup>th</sup> July 1975, in cases of compulsory retirement under Rule 60 A, Part I of these rules, but will not be given in other

cases of compulsory retirement or cases of removal or dismissal from service.

- \* (ii) The Travelling Allowance will be given as for a journey on transfer from the last headquarters to the place of residence, where he proposes to settle down. For regulating the claim accordingly, every Government servant should furnish to his controlling officer before his retirement, a declaration indicating the station where he intends to reside after retirement. The officers compulsorily retired under Rule 60-A, of Part 1 of these rules shall furnish the declaration within one month after such retirement.
- [G.O. (P) 74/77/Fin.,  
dt. 28-2-1977]
- \*[G.O. (P) 44/78/Fin.,  
dt. 10-1-1978]
- (iii) The journey shall be performed within one year of the date of retirement:
- [G.O. (P) 595/78/Fin.,  
dt. 29-7-1978]
- Provided that officers who are re-employed under the Government of Kerala and whose re-employment is ordered while on leave preparatory to retirement or within one year of the date of retirement, can avail themselves of the benefit of this rule, if the journey is performed within one year from the date of expiry of the period of re-employment.
- [G.O. (P) 537/80/Fin.,  
dt. 3-9-1980]
- (iv) If Travelling Allowance advance is allowed it should be restricted to 75 per cent of the Travelling Allowance admissible for the journey and a declaration should be obtained from the Government servant giving his consent for recovery from his pension, if need be. The detailed T.A. bill should be presented \*\*within two months of the date of drawal of the advance to the last controlling officer for adjustment and counter signature. If the Government servant is a Gazetted Officer the bill should be sent to the office of the Accountant General for pre-audit before payment.
- [G.O. (P) 200/70/Fin.,  
dt. 6-4-1970]
- \*\*[G.O. (P) 595/78/Fin.,  
dt. 29-7-1978]

This amendment shall be deemed to have come into force with effect from 8<sup>th</sup> January 1970.

99B. [Deleted]

[G.O. (P) 277/75/Fin.,  
dt. 30-6-1975]

### CHAPTER III

## TRAVELLING ALLOWANCE ADMISSIBLE WHEN MEANS OF TRANSPORT ARE SUPPLIED WITHOUT COST TO THE OFFICER TRAVELLING

### SECTION I—JOURNEYS BY RAILWAY

100. When an officer is entitled to or is allowed free transit by railway, whether on a free pass or otherwise the mileage allowance which he draws for the journey must be reduced by the amount of the fare which, but for such free transit, he would have paid. This rule applies to cases in which a free pass is issued on any railway. The reduction made must include the full number of fares covered by the pass, unless the officer certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.
101. When an officer in receipt of permanent Travelling Allowance uses a free pass on a railway within his sphere of duty, he must deduct

from his Permanent Travelling Allowance for the month the amount of the railway fares which he would have paid if he had not travelled on a pass.

- 102.** When an officer is permitted to travel by railway in a higher class on payment of a lower fare, his mileage allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

#### SECTION II—JOURNEYS BY SEA OR RIVER STEAMER

- 103.** When an officer travels by sea or river, otherwise than on payment of passage money, in a steamer the cost of which is paid by Government or by a local fund, he may draw no Travelling Allowance except subject to the provision of Rule 110\* the daily allowance of his grade; provided that, when his servants and luggage are not conveyed on the vessel but are sent separately at his expense, he may draw in addition the actual cost of transporting them.

- 104.** When an officer is allowed free transit by sea or river steamer, otherwise than in a Government vessel, the mileage allowance which he draws for the journey must be reduced by the amount of the fare which, but for such free transit, he would have paid. If he travels on a free pass, the reduction made must include the full number of fares covered by the pass unless the officer certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

#### SECTION III—JOURNEYS BY AIR

- 105.** When an officer is allowed free transit by air in a Government machine or in a machine chartered by Government for the purpose, he is entitled subject to the provisions of Rule 110\* to Travelling Allowance as follows:-

- (a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of his grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may at his option draw in lieu of daily allowance the mileage allowance admissible for that part.

\*This amendment shall be deemed to have come into force with effect from 15<sup>th</sup> May 1970.

[G. O.(P) 113/76/Fin.,  
dated 6-4-1976]

- (b) If he has to provide separate conveyance at his own expense for his servants or luggage he may—
- (i) if the journey is between places connected by rail or steamer draw incidental expenses or three-fifth of a fare as the case may be of the class of accommodation to which he is entitled by railway or steamer, or
  - (ii) if the journey is between places not connected by rail or steamer draw the daily allowance of his grade or half the mileage allowance calculated for the journey.

If, however, a part of the journey is performed by other means of locomotion he may draw mileage allowance admissible for that part subject to the condition laid down in sub-clause (i) and (ii) of clause (b) of Rule 62.

- 106.** An officer, when making a journey by air in a Government machine or in a machine chartered by Government for the purpose shall pay a first class full or half railway fare, as the case may be, to Government on behalf of each person not entitled to travel in that machine who may accompany him.

*Note.* - If an officer wishes to take with him any non-entitled person in a Government machine or in a machine chartered by Government, he should obtain the sanction of the Government. In giving such sanction, care should be taken to see that no extra expenditure is caused to Government thereby.

#### SECTION IV—OTHER JOURNEYS

- 107.** Except where otherwise expressly provided in these rules, when on a journey other than a journey by railway or by sea or river steamer or by air an officer uses a means of locomotion provided at the expense of Government, a local fund or Government of another State and does not pay the cost of its use or propulsion, he is entitled subject to the provisions of Rule 110 to Travelling Allowance as follows:-

- (a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of the grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may at his option draw in lieu of daily allowance the mileage allowance admissible for that part.

#### Ruling

When a Government servant performs a journey on transfer in a conveyance provided by the Government, he may be allowed daily allowance for each calendar day of journey. He will not, however, be eligible for any additional daily allowance for the members of his family who accompany him and for whom he does not pay any fare, nor will he be paid any allowance for the personal effects carried along with him for which he does not pay any charge except in the case of transport by rail in which case he may be allowed the actual charges as provided under Rule 67 (a) I (iii), Kerala Service Rules, Part II.

[G.O.(P) 617/63/Fin.,  
dt. 12-12-1963]

- (b) If he has to provide separate conveyance at his own expenses for his servants or luggage, he may, if the conditions of Rule 62 are fulfilled, exchange his daily allowance for half the mileage allowance calculated for the journey and draw in addition the mileage allowance admissible for any part of the journey made by other means of locomotion.

- 108.** When an officer is provided with means of locomotion as in Rule 107 but pays all the cost of its use or propulsion, he may draw Travelling Allowance under the ordinary rules, subject to the deduction of such fixed hire or charge as Government may fix.

- 109.** [Deleted]

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]

#### SECTION V—METHOD OF CALCULATING DAILY ALLOWANCE

- 110.** When an officer, who is supplied with means of conveyance without charges, returns to his headquarters on the same day, daily

[G.O.(P) 186/89/Fin.,  
dt. 29-3-1989]



allowance admissible under Rule 103, Rule 105 and Rule 107 will be limited to the incidental expenses at the rates given below:

Officers of the First Grade .. 8 paise per kilometre

Officers of the Second Grade .. 6 paise per kilometre

Officers of the Third Grade .. 4 paise per kilometre

Officers of the Fourth Grade .. 3 paise per kilometre

Effective from 1<sup>st</sup> July 1980.

When an officer is provided with free conveyance for part of the journey or for one way journey only (i.e. either for going from or for return to Headquarters) and he returns to his head quarters on the same day the daily allowance if admissible under the rules will be limited to the incidental expenses as indicated above for the onward or downward journey as the case may be. He may in addition draw mileage allowance admissible for the part of the journey for which the conveyance is not provided free of charges, provided the distance travelled exceeds 32 kilometres.

*Note 1.* - A chauffeur or driver or cleaner or mechanic of a motor car, jeep, van, wagon, lorry, boat or other means of locomotion supplied at the expense of Government will be allowed daily allowance at the rates specified under these rules.

*Note 2.* - The rates of incidental expenses mentioned in this rule shall be subject to a minimum of half daily allowance.

Effective from 1<sup>st</sup> May 1981.

[G.O. (P) 186/89/Fin.,  
dt. 29-3-1989]

#### CHAPTER IV

#### GRANT OF TRAVELLING ALLOWANCE TO THOSE WHO ARE NOT IN REGULAR GOVERNMENT SERVICE

**111.** The grant of Travelling Allowance and Daily Allowance to non-official members of Committees, Boards, Councils, etc. will be regulated as follows:-

- (i) Committees, Boards, Councils, etc. constituted by Government will be classified into two-First Class and Second Class—according to their importance, jurisdiction and the over all status of the members. Whether a committee (or other body) is of the First Class or the Second Class will be specified in the orders constituting the committee.
- (ii) Non-officials (including retired officials) serving in First Class Committees, Boards, etc., will be allowed Travelling Allowance and daily allowance at the rates admissible to First Grade Officers
- (iii) Non-officials (including retired officials) serving in Second Class Committees, Boards, etc., will be allowed Travelling Allowance and daily allowance at the rates admissible to Second Grade Officers drawing a pay of more than †Rs.1500 per mensem.

†Effective from 1<sup>st</sup> September 1985.

[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

- (iv) The Travelling Allowance admissible to Members of the Legislative Assembly serving in any committee (or other body) will, however, be regulated by the provisions of the Payment of Salaries and Allowances Act.
- (v) Members of Parliament serving in such committee (or other body) will be allowed Travelling Allowance and daily allowance at the rates admissible to M.L.As. subject to the condition that in respect of railway journeys they will be allowed only the incidental expenses, since they are in possession of free railway pass.
- (vi) The Travelling Allowance Rules in the Kerala Service Rules applicable to First and Second Grade Officers of Government will apply to the non-official members of First and Second Class committees respectively. \*Member of a First class Committee will however be allowed mileage for road journeys between places connected by railway, if any public interest is served by such road journeys.

\*[G.O.(P)186/89/Fin.,  
dt. 29-3-1989]

*Note.* - Non-official members, other than Members of the Legislative Assembly, serving on First and Second Class Committees, may be paid per day of attendance at the meetings of the committees at places within a radius of eight kilometres from their residence, sitting fees to cover out of pocket expenses at the rate equal to the amount of Daily Allowance admissible for halts at the station.

**112.** The following principles should be observed in granting Travelling Allowances to witnesses, who are not officers but are summoned to give evidence in a case in which the conduct of an officer is the subject of a departmental enquiry held by officers serving directly under the Government:-

- (1) Travelling Allowance will be paid only in respect of witnesses whose evidence is considered to be of material value by the officer conducting the enquiry.
- (2) Such allowances may be paid to witnesses summoned on behalf of the officer whose conduct is the subject of a departmental enquiry in the event of the officer concerned clearing himself.
- (3) In exceptional cases the officer conducting the enquiry may, for reasons to be recorded, recommend to the Government that the principles laid down above be departed from owing to special reasons and it is for the Government to accept or reject the recommendation.

**112 A.** The rates of Travelling Allowance and batta in the case of those coming under Rule 112 will be the rates allowable from time to time to non-official witnesses summoned by criminal courts, the discretion in the matter of classification of such witnesses for the purpose being vested with the concerned authority conducting the enquiry.

[G.O. (P) 1/66/Fin.,  
dt. 1-1-1966]

CHAPTER V  
CONTROLLING OFFICERS

- 113.** The Government shall declare what authority shall be the controlling officer, for Travelling Allowance purposes, of each officer or grade of officers. It may, if it thinks fit, declare that any particular officer shall be his controlling officer.
- 114.** Except where expressly permitted by a competent authority a controlling officer may not delegate to a subordinate his duty of countersignature.
- 115.** Except as provided in Rule 113 no bill for Travelling Allowance, other than Permanent Travelling Allowance shall be paid unless it is signed or countersigned by the controlling officer concerned.
- 116.** It is the duty of a controlling officer, before signing or countersigning a Travelling Allowance bill—
- (a) to scrutinise the necessity, frequency and duration of journeys and halts for which Travelling Allowance is claimed, and to disallow the whole or any part of the Travelling Allowance claimed for any journey or halts, if he considers that a journey was unnecessary or unduly protracted or that a halt was of excessive duration;
  - (b) to scrutinise carefully the distances entered in Travelling Allowance bills;
  - (c) to satisfy himself that mileage allowance for journeys by railway or steamer, excluding additional fare or fares allowed for incidental expenses, has been claimed at the rate applicable to the class of accommodation actually used and that where the actual cost of transporting servants, personal effects, etc., is claimed under these rules the scale on which such servants, effects, etc., were transported was reasonable; and to disallow any claim which, in his opinion, does not fulfil that condition;
  - (d) to check any tendency to abuse the option of exchanging daily allowance for mileage allowance;
  - (e) to observe any subsidiary rules or orders which a competent authority may make for his guidance; and
  - (f) to satisfy himself before permitting a claim under Rule 23 that the officer actually bought a through ticket at the rate claimed and that it was not possible for him to get a through ticket at a cheaper rate by paying only for the appropriate class of accommodation over that portion of the journey where accommodation of that class was available.



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## APPENDIX I

**MODEL FORM OF AGREEMENT**

(Referred to in Rule 8 of Part I)

ARTICLES OF AGREEMENT made this the ..... day of .....one thousand nine hundred and .....BETWEEN Sri ..... (here enter name and address) of the first part and the Governor of Kerala (hereinafter called "the Government") of the other part.

WHEREAS THE GOVERNMENT have engaged the party of the first part and the party of the first part has agreed to serve the Government on the terms and conditions hereinafter contained.

NOW THESE PRESENTS WITNESS as follows:-

1. The party of the first part shall submit himself to the orders of the Government and of the officers and authorities under whom he may from time to time be placed by the Government and shall remain in the service for the term of .....years commencing from the .....day of 19.....subject to the provisions herein contained.
2. The party of the first part shall devote his whole time to his duties and at all times obey the rules including the Government Servants' Conduct Rules prescribed from time to time being for the regulation of the public service to which he may belong and shall whenever required, proceed to any part of India and there perform such duties as may be assigned to him.
3. The service of the party of the first part may be terminated as follows:-
  - (1) At the end of the first year by either party without notice.
  - (2) At any time on \*two calendar months' notice in writing given to him by the Government if, in the opinion of the Government, the party of the first part proves unsuitable for the efficient performance of his duties during service under this agreement.

\*Provided that the Government may in lieu of any notice herein provided for, give the party of the first part, a sum equivalent to the amount of his pay of two months or shorter notice than two months, if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of two months.

\*Effective from 24<sup>th</sup> April 1982.

[G.O.(P) 199/82/Fin.,  
dt. 24-4-1982]

- (3) By the Government without previous notice if the Government are satisfied on medical evidence that the party of the first part is unfit and is likely for a considerable period to continue unfit by reason of ill-health for the discharge of his duties in India.

PROVIDED always that the decision of the Government that the party of the first part is likely to be unfit shall be conclusively binding on the party of the first part.

- (4) By the Government or their officers having proper authority without any previous notice if the party of the first part shall be guilty of any insubordination, intemperance or other misconduct or of any breach or non-performance of any of the provisions of these presents or of any rules pertaining to the public service to which he may belong.
- (5) By \*two calendar months' notice in writing given at any time during service under this agreement (except the first year thereof) either by him to the Government or by the Government or their authorised officer to him without cause assigned.

\*Effective from 24<sup>th</sup> April 1982.

[G.O.(P) 199/82/Fin.,  
dt. 24-4-1982]

PROVIDED always that the Government may, in lieu of any notice herein provided for, give the party of the first part a sum equivalent to the amount of his pay of \*two months or shorter notice than \*two months if they pay him a sum equal to the amount of his pay for the period by which such notice falls short of \*two months.

\*Effective from 24<sup>th</sup> April 1982.

[G.O.(P) 199/82/Fin.,  
dt. 24-4-1982]

(\* ) Omitted.

\*[G.O.(P) 199/82/Fin.,  
dt. 24-4-1982]

The second Proviso is in effect from 24<sup>th</sup> April 1982.

The term 'pay' for the purpose of this clause shall mean the pay (including special pay and personal pay, if any), the party of the first part is receiving under these presents at the time, unless he is receiving officiating pay in which case it shall mean the pay (including special pay and personal pay, if any) of his substantive appointment.

- 4. If the party of the first part is suspended from duty during investigation into any charge of misconduct mentioned in sub-clause (4) of clause 3 hereof, he shall not be entitled to any pay during such period of suspension but shall be entitled to receive a subsistence grant at such rate as the Government may decide to allow him.
- 5. The scale of pay attached to the post of..... to which the party of the first part is appointed shall comprise the following monthly rates of pay in successive stages of every twelve months' service :-

(Pay Rs.)

Stages:

- 1 .....
- 2 .....
- 3 .....

etc.

He shall from the ..... be granted pay at the rates of Rupees ..... per mensem in the aforesaid scale and shall receive pay in the succeeding stages provided for in that scale in accordance with the provisions of the rules from time to time in



force and applicable to his case, service in the stages reckoning from the aforesaid date. The pay from time to time payable to him under these presents shall be paid for such time as he shall serve under this agreement and actually perform his duties commencing from the aforesaid date and ceasing on the date of his quitting service or on the day of his discharge therefrom or on the day of his death if he shall die whilst in service. If at any time the party of the first part proceeds on deputation on foreign service his pay during deputation shall be regulated by the ordinary rules regarding deputation on foreign service.

6. The party of the first part shall be eligible, subject to the exigencies of public service, for leave and leave salary under the rules contained in Appendix VIII to Kerala Service Rules, as amended from time to time.
7. If the party of the first part is required to travel in the interest of public service he shall be entitled to Travelling Allowance on the scale provided for in the rules framed by the Government from time to time in force and applicable to the class of officers serving in the same station to which Government may declare him to correspond in status or conditions of service.
8. The party of the first part shall be eligible for any concessions in relation to medical attendance and treatment that may be prescribed by the Government for the class of officers serving in the same station to which the Government may declare the party of the first part to correspond in status or conditions of service.
9. Notwithstanding anything herein before contained the party of the first part shall, unless otherwise decided by the Government, be entitled to receive in whole or in part as may be authorised by the Government the benefits of any improvement that may be sanctioned by the Government subsequent to the date of these presents in the terms and conditions of the service of members of the public service to which he may for the time being belong and the decisions of the Government in respect of such improvement in the terms and conditions of service of the party of the first part shall operate so as to modify to that extent the provisions of these present.
10. Notwithstanding anything herein before contained the pay and leave salary admissible under these present shall be subject to any emergency cut that may be ordered by the Government for the same period and on the same terms as for other officers under the administrative control of the Government.
11. In respect of any matter in regard to which no provision has been made in this agreement the provisions of the Kerala Service Rules shall apply to the extent to which they are applicable to the service hereby provided for and the decision of the Government as to their applicability shall be final.

In witness whereof Sri ..... the party of the first part and Sri ..... Secretary to the Government for and on behalf of the Governor of Kerala hereunto set their hands the day and year first above written.

Signed by Sri..... the party of the first part.

In the presence of witnesses:--

1 .....

2 .....

Signed by Sri ..... Secretary to the Government for and on behalf of the Governor of Kerala.

In the presence of witnesses :--

1.....

2.....

## APPENDIX II

### LIST OF HEADS OF DEPARTMENTS

[Referred to in Rule 12 (13) of Part I]

1. Secretaries, Additional Secretaries and Joint Secretaries to Government (including Secretary to the Legislative Assembly).
2. Board of Revenue
3. Director of Public Instruction
4. Additional Director of Public Instruction
5. Director of Collegiate Education
6. Director of Examination and Text Books
7. Director of Technical Education
8. Chief Engineers
9. Chief Conservator of Forests
10. Director of Agriculture
11. The High Court
12. Chairman, Public Service Commission
13. Director of Public Relations
14. Transport Commissioner
15. Inspector General of Police
16. Director of Health Services
17. Advocate General
18. Registrar of Co-operative Societies
19. Inspector General of Registration
20. [Deleted]
21. Labour Commissioner
22. Examiner of Local Fund Accounts
23. Inspector General of Prisons
24. Director of Animal Husbandry

25. [Deleted]
26. Director of Harijan Welfare
27. Principals, Medical Colleges
28. Director of Municipalities
29. Director of Industries and Commerce
30. Director of Fisheries
31. Director, Bureau of Economics and Statistics.
32. Director of Indigenous Medicine
33. Director of Insurance [G.O.(P) 705/79/Fin.,  
dt. 6-8-1979]
34. Chairman, Kerala Sales Tax Appellate Tribunal, Trivandrum.
35. Principals, Ayurveda Colleges.
36. Industrial Tribunals
37. The State Port Officer
38. Commissioner, Hindu Religious and Charitable Endowment Fund.
39. Director of Tourist Department
40. Presiding Officer, Labour Courts
41. Director of Museums and Zoos
42. Secretary to Governor and Comptroller, Governor's Household
43. Director of Employment and Training
44. Director of Geology
45. Controller of Weights and Measures
46. Drugs Controller
47. Chairman, Land Board
48. Chief Town Planner and Consulting Architect
49. Director of Panchayats
50. Director of Archaeology
51. [Deleted]
52. Director of Fire Force
53. Director of Soil Conservation
54. Director of Factories and Boilers [G.O.(P) 172/84/Fin.,  
dt. 20-3-1984]
55. State Editor, Kerala Gazetteers
56. Director, Rajya Sainik Board [G.O.(P) 1101/79/Fin.  
dt. 21-12-1979]
57. Vigilance Commissioner
58. Director of Vigilance Investigation
59. Director of Treasuries

60. Director of State Lotteries
61. Chief Electrical Inspector of Government
62. Secretary of Official Language (Legislative) Commission
63. Director of Printing and Stationary
64. Director of State Water Transport Department
65. Chief Chemical Examiner to Government [G.O.(P) 876/87/Fin.  
dt. 8-10-1987]  
This amendment shall be deemed to have come into force with effect from 23<sup>rd</sup> September 1983.
66. Director of Civil Supplies [G.O.(P) 28/75/Fin.,  
dt. 17-1-1975]
67. Director of Coir Development
68. Director of Handlooms [G.O.(P) 142/80/Fin.,  
dt. 19-2-1980]  
This amendment shall be deemed to come in to force with effect from 22<sup>nd</sup> September 1979.
69. Member-Secretary, State Planning Board [G.O.(P) 250/81/Fin.,  
dt. 24-4-1981]  
Effective from 24<sup>th</sup> April 1981.
70. Principal, Government Homeopathic Medical College, Calicut [G.O.(P) 124/82/Fin.,  
dt. 19-3-1982]  
Effective from 19<sup>th</sup> March 1982.
71. Director of Homeopathy [G.O.(P) 170/84/Fin.,  
dt. 20-3-1984]  
Effective from 21<sup>st</sup> April 1973.
72. Director of Publications, Department of Cultural Publications. [G.O.(P) 670/84/Fin.,  
dt. 17-11-1984]  
Effective from 26<sup>th</sup> August 1983.
73. Director of Archives [G.O.(P) 743/84/Fin.,  
dt. 15-12-1984]  
Effective from 18<sup>th</sup> February 1984.
74. Director of Rehabilitation [G.O.(P) 758/84/Fin.,  
dt. 22-12-1984]  
Effective from 6<sup>th</sup> March 1984.
75. Professor-cum-Project Officer, Post Graduate Centre in Ayurveda [G. O.(P) 107/85/Fin.,  
dt. 22-2-1985]  
Effective from 27<sup>th</sup> December 1983.
76. Special Representative, Kerala House, New Delhi. [G.O.(P) 849/86/Fin.,  
dt. 29-11-1986]  
Effective from 13<sup>th</sup> June 1984.
77. Chairman, Water Appellate Authority [G.O.(P) 16/87/Fin.,  
dt. 6-1-1987]  
This amendment shall be deemed to have come into force with effect from 2<sup>nd</sup> July 1979.
- \*78. Tribunal for Disciplinary Proceedings, Trivandrum.
- \*79. Enquiry Commissioner and Special Judge, Trivandrum.
- \*80. Enquiry Commissioner and Special Judge, Thrissur.  
\*Effective from 10<sup>th</sup> February 1987. [G.O.(P) 403/88/Fin.,  
dt. 7-6-1988]

- |  |  |
|--|--|
| 81. The University Appellate Tribunal, Thiruvananthapuram.<br>Effective from 15 <sup>th</sup> December 1987. | [G.O.(P) 794/92/Fin.,<br>dt. 31-10-1992] |
| 82. Director, Kerala Urban Development Project.<br>Effective from 22 <sup>nd</sup> December 1992.            | [G.O.(P).925/95/Fin.,<br>dt. 1-12-1995]  |
| 83. Director, Higher Secondary Education.<br>Effective from 19 <sup>th</sup> March 1994.                     | [G.O.(P).955/95/Fin.,<br>dt. 6-12-1995]  |
| 84. State Librarian, Trivandrum Public Library.<br>Effective from 9 <sup>th</sup> March 1988.                | [G.O.(P) 985/97/Fin.,<br>dt. 4-11-1997]  |

Note.—In the case of officers who are not subordinates to any of the above heads of departments, questions which call for disposal by heads of departments should be referred to the Secretary to Government in the department concerned.

### APPENDIX III

#### RULES RELATING TO CHARGE OF OFFICE

(Referred to in Rule 23 of Part I)

#### PART I

#### Charge of Office

1. Unless for special recorded reasons (which must be of a public nature) the authority under whose orders the transfer takes place permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its headquarters, both the relieving and the relieved officers being present.
2. The condition imposed by this rule that both the relieving and the relieved officers must be present is not enforced in the case of officers who are permitted to combine vacation or gazetted holidays with leave.
  - (a) When they are prefixed to leave the outgoing officer will report, before leaving headquarters, or if for urgent reasons the leave is granted during vacation, or holidays, as soon as it is granted that he makes over charge with effect from the end of the vacation or holidays. The relieving officer will then take over charge at the end of the vacation or holidays in the ordinary way.
  - (b) When they are affixed to leave the officer to be relieved will make over charge in the ordinary way before the vacation or holidays, the incoming officer on return at the end of the vacation or holidays, taking over charge with effect from the beginning of the vacation or holidays.
3. The headquarters of any other officer is either the station which has been declared to be his headquarters by the authority which

appoints him, or, in the absence of such declaration, the station where the records of his office are kept.

## **PART II**

### **Leaving Jurisdiction**

1. No officer (other than a Police Officer acting within his legal powers) is entitled to pay or allowances for any time he may spend beyond the limits of his charge without proper authority.
2. Heads of Departments and Heads of Offices may authorise any officer or subordinate under their control to proceed on duty beyond the limits of his charge but within their own jurisdiction.
3. The sanction of Government is required for any officer proceeding beyond the limits of the State.

### **Ruling**

This rule will not be applicable to a case where an Officer is summoned to attend a court outside the State. He should, however, inform his controlling officer before he leaves station.

## **APPENDIX IV**

### **RULES REGULATING GRANT OF SPECIAL PAY**

#### **AND COMPENSATORY ALLOWANCES**

[Referred to in Rule 12 (31) and Rule 44 of Part I]

In the service rules provision is made for grant of special pay [Rule 12 (31), Part I] and compensatory allowances (Rule 44, Part I).

The additional pay and allowances granted to officers under these rules will be sub-divided into the following classes:-

- |       |     |  |
|-------|-----|--|
| Class | I   | (a) Special pay in lieu of higher time scale of pay  |
|       |     | (b) Special pay for specifically arduous nature of work  |
| Class | II  | Special pay for work in addition to the normal duties attached to the post                         |
|       |     | This amendment shall be deemed to have come into force with effect from 1 <sup>st</sup> July 1968. |
| Class | III | [Deleted]  |
| Class | IV  | Mofussil (Compensatory allowance) hill stations  |
| Class | V   | Conveyance allowance (compensatory allowance)  |
| Class | VI  | Miscellaneous (compensatory allowance)   |

[G.O.(P) 393/75/Fin.,  
dt. 30-8-1975]

*Class 1.*—Special pay in this class are assigned to posts to which special responsibility is attached or which involve work of a specially difficult and arduous nature. No special pay of this class will be granted unless the particular duties for which an allowance is

claimed so far differ, in kind or in intensity, from those for the performance of which the service in question was recruited, as to justify a special remuneration.

*Class II.*—The cardinal rule which the Government have adopted is that every officer to whom a variety of duties is assigned or to whose post a number of duties is attached should carry out those duties without extra remuneration unless they involve more than a reasonable days work. In this respect Government are merely giving effect to Rule 14, Part I.

If the volume of work assigned to an officer is more than a full day's work the most suitable course is either to increase the staff, should the amount of work, justify a fresh whole time appointment, or to redistribute the work among the members of the sanctioned staff. Special pay in this class will be granted only when neither of these alternatives is possible.

The grant of a special pay under this class will be restricted to cases which strictly satisfy the following test :-

If the duties are of a kind outside the normal duties of the service, in addition to the normal work of the service, which the performance of these duties involve really so material as to justify the grant of a separate remuneration in order to secure the contended discharge of those duties by the staff.

*Note.* - The allowance sanctioned to the Typists and Stenographers with higher qualification in Typewriting and Shorthand, as the case may be, shall however be treated as 'Special pay' falling under this class.

#### **Government decision No. 1**

The Supervisory allowance of Rs.15 per mensem sanctioned to Head Typists in the scale of pay of Upper Division Typist will be classified as Class II Special Pay under Appendix IV, Kerala Service Rules.

[G.O.(P) 615/64/Fin.,  
dt. 31-8-1964]

#### **Government decision No. 2**

The Supervisory allowance of Rs.15 per mensem sanctioned to Head Clerks and Head Accountants will be classified as special pay under Appendix IV, Kerala Service Rules.

[G.O.(P) 150/58/Fin.,  
dt. 23-6-1958

and

G.O.(P) 825/64/Fin.,  
dt. 28-12-1964]

Class III—[Deleted]

*Class IV.*—The localities which have been recognised as hilly to justify special compensatory allowance are:—

1. Portions of Devicolom, Peermade, Udumbanchola, Pathanamthitta, Pathanapuram, Nedumangad and Neyyattinkara Taluks referred to in para 1, under 'A Class I Tracts' in Appendix IX.

This amendment shall be deemed to have come into force with effect from 2<sup>nd</sup> February 1970.

[G.O.(P) 576/75/Fin.,  
dt. 27-12-1975]

2. The hill stations of Chalakudy and Trichur referred to in Appendix IX.

3. \*Omitted with effect from 9<sup>th</sup> March 1981.

\*[G.O.(P) 159/81/Fin.,  
dt. 9-3-1981]

4. The Wayanad and Attapady Valley.

Compensatory allowance as specified below shall be granted to officers stationed in the hill stations specified above.

5. The area comprising the whole of Idukki Village and the portions of Velliamattom and Arakulam Village in Thodupuzha Taluk having the boundaries specified as item 6 under the heading "A Class I Tracts" in Appendix IX.

[G.O.(P) 159/81/Fin.,  
dt. 9-3-1981]

This item shall be deemed to have come into force with effect from 9<sup>th</sup> March 1981.

<i>*Class</i>	<i>Rate of compensatory allowance per month</i>
Officers whose salary is upto and including Rs.800	60
Officers whose salary is above Rs.800 but below Rs.1,500	80
Officers whose salary is Rs.1,500 and above	100

*Explanation* :(1) The salary referred to in this paragraph means the salary drawn in the scale of pay as revised on or after 1<sup>st</sup> July, 1983.

(2) In the case of those who have opted to remain in the pre-revision scale of pay, the salary for the purpose of determining the compensatory allowance shall be calculated by adding to the pay in the pre-revision scale, the dearness allowance admissible at 488 points indicated in Appendix -II to pay revision G.O. (P) 515/85/Fin., dated 16<sup>th</sup> September 1985, which was merged in the pay, with effect from 1<sup>st</sup> July 1983.

\*Effective from 1<sup>st</sup> July 1985.

[G.O.(P) 1109/87/Fin.,  
dt. 23-12-1987]

### **Ruling**

The term "Salary" denotes "pay" as defined in Rule 12 (23), Kerala Service Rules, Part I.

[G.O.(P) 72/72/Fin.,  
dt. 9-3-1972]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> January 1966.

*Class V.—Conveyance Allowance.*—When an officer has a large amount of travelling at or within a short distance from headquarters, for which Travelling Allowance is inadmissible under the rules, a permanent conveyance allowance may, under special sanction of the Government in each case, be granted to him which is drawn throughout the year.

An allowance for the maintenance of a conveyance will not be granted unless the amount of travelling that the officer has to



perform, justifies the maintenance of a conveyance by him and the amount of ordinary T.A., which would have been admissible, but for the operation of the 8 kilometres limit, would exceed the amount of the conveyance allowance proposed.

Officers whose pay is not less than Rs.400 per mensem may alone be considered for the grant of allowance for the maintenance of a motor car.

Officers whose pay is more than Rs.150 but less than Rs.400 may ordinarily be given allowance for maintaining a motor cycle.

Officers of lower status may ordinarily be allowed only a cycle allowance.

*Note 1.* - If the amount of travelling which an officer of the first category has to perform is such that in the opinion of Government it can be suitably performed with the aid of a conveyance prescribed for the 2<sup>nd</sup> category the allowance for maintaining such a conveyance only may be given.

*Note 2.* - Similarly, if the amount of travelling which the officers of the second category have to do is such that in the opinion of Government, it can be suitably performed with the aid of a bicycle, the allowance for maintaining a bicycle only may be allowed.

*Note 3.* - If the amount of travelling that an officer of the third category has to do is so large that in the opinion of Government it cannot be performed with the aid of a bicycle or in case in which it is absolutely necessary, in the interests of work and efficiency, that a motor cycle has to be maintained, allowance for maintaining a motor cycle may be given.

*Rates of allowances.*—The following rates shall not be exceeded:-

1. Motor car.—The ordinary limit will be Rs.60 per mensem. This may be raised in exceptional cases when the amount of travelling is very large, upto Rs.75 per mensem. In the case of those whose jurisdiction extends beyond 8 kilometres radius from their headquarters and who get ordinary T.A. also, they will ordinarily be given only Rs.40 per mensem. But in exceptional cases when the main portion of the work is confined to within 8 kilometres from headquarters the allowance may be increased to Rs.60 per mensem.
2. Motor cycle.—The ordinary limit will be Rs.25 per mensem which may be increased upto Rs.30 in cases where a very large amount of travelling has to be done. If the jurisdiction of the officer extends beyond 8 kilometres radius and the officer gets ordinary T.A. also, the allowances may be limited to Rs.15 per mensem which may be enhanced to Rs.20 per mensem if the main portion of the work is confined to within 8 kilometres from headquarters.
3. Bicycles.—A uniform rate of Rs. 5 per mensem is fixed.
4. Where full rates without making reduction on the ground that the officers concerned earn ordinary T.A. are granted the conveyance allowance should be forfeited for the days for which ordinary T.A. (D.A. or mileage) is drawn.

Every recommendation made to Government for the grant of a conveyance allowance should contain detailed information regarding the nature of the officer's work, the approximate area of

the locality within which the conveyance is to be used and the approximate average amount of travelling which the officer has to perform in a day.

*Class VI.—Miscellaneous.*—The allowances admissible under this class are (a) Uniform allowance, (b) Dhobi allowance (c) Allowance to Medical men to compensate for loss of private practice, (d) Security Allowance, (e) Allowance for higher qualification (f) Allowances granted to officers deputed for training and (g) Other compensatory allowances.

*Note.* - In cases where the period of training exceeds three months, compensatory allowance will be granted to the different classes of officers deputed for training outside the State at the following rates, namely:-

Category of Officers	Rates for the cities of New Delhi, Bombay and Calcutta	Rates for other Places
(1)	(2)	(3)
Officers of the First Grade	Rs.600 p.m.	Rs.500 p.m.
Officers of the Second Grade:		
(a) Officers whose actual pay is Rs.1,500 and above	Rs.525 p.m.	Rs.425 p.m.
(b) Officers whose actual pay is Rs.1,000 and above but below Rs.1,500	Rs.425 p.m.	Rs.350 p.m.
Officers of the Third Grade	Rs.375 p.m.	Rs.275 p.m.
Officers of the Fourth Grade	Rs.350 p.m.	Rs.225 p.m.

This amendment shall be deemed to have come into force with effect from 7<sup>th</sup> June 1986.

[G.O.(P). 931/87/Fin., dt. 7-11- 1987]

**Government Decision No.1**

Special pay granted under Classes I and II, Rule 4 of the Madras Manual of Special Pay and Allowances to officers governed by the Fundamental Rules (Madras) should be treated, after their option to Kerala Service Rules as special pay Classes I and II respectively under Appendix IV, Kerala Service Rules.

[Circular No. 38373/RB3/61/Fin., dt. 19-9-1961]

**Government Decision No. 2**

The various allowance mentioned below will be classified as shown against each:-

[G.O.(P) 576/63/Fin., dt. 7-11-1963]

<i>Allowance</i>	<i>Classification</i>
1. Post-Graduate allowance	Special pay under Class II
2. Allowance to Medical Officers for visiting bi-weekly Dispensaries	Conveyance allowance under Class V
3. Project Allowance	Compensatory allowance under Class IV
4. Hill tract allowance	Compensatory allowance under Class IV

- |   |  |
|---|--|
| 5. Headmaster's allowance   | Class II Special pay   |
| 6. Teaching allowance (to non-clinical staff of Medical Colleges)                                   | Compensatory allowance for loss of private practice under Class VI (c) |
| 7. Allowance for part time work :   |  |
| i) Allowance given to Assistant Surgeons for taking classes in Auxiliary Midwife's Nurse's Training | } Compensatory allowance under Class VI (c)                            |
| ii) Allowance given for part-time Lecturers in the Ayurveda College                                 |  |
| iii) Allowance given for taking classes in B.D.S. Course.   |  |
| iv) Allowance for taking classes in D.M.S. Course.  |  |
| v) Allowance for taking classes in Extension Training Centres                                       |  |
| vi) Allowance for taking classes in Industrial Training Centres                                     |  |
| vii) Allowance for taking classes in Dental Hygienic Course.  |  |
| viii) Allowance given to Doctors for visiting Hostels.  |  |
| ix) Allowance given to Doctors for visiting College of Physical Education.                          |  |
| x) Allowance given to Doctors for visiting Police Training School as part-time Medical Officer      |  |
| xi) Allowance given to Doctors for visiting Raj Bhavan Dispensary                                   |  |
| xii) Allowance given to Doctors for visiting School of Optometry                                    |  |

**Government Decision No. 3**

The Special Allowance Sanctioned to the Police Personnel and the corresponding categories in the Fire Force, Prison, Forest, Excise and Vigilance Department will be classified as compensatory allowance under Class VI. The personnel on deputation to the Departments, Public Sector undertakings etc. will not be entitled to the special allowance. But it will be admissible during periods of leave with allowance for a maximum period of 4 months.

[G.O.(P)246/81/Fin.,  
dt. 21-4-1981]

APPENDIX IV A  
**RULES REGULATING THE GRANT OF OVERTIME  
ALLOWANCE TO THE STAFF OF DEPARTMENTS  
DURING SESSIONS OF THE LEGISLATIVE  
ASSEMBLY**

(Vide Rule 14, Part I)

1. The allowance will be given to such of the staff in the following departments who are required to sit for overtime duty during the sessions of the Legislative Assembly at the rates sanctioned by Government by general or special orders issued from time to time subject to the conditions specified in Rules 2 to 6:-
- (i) Stationery Department
  - (ii) Legislature Secretariat
  - (iii) Law Department
  - (iv) Public Relations Department
  - (v) Radio Wing and Electrical Wing of the Public Works Department

[G.O.(P) 157/83/Fin.,  
dt. 28-3-1983]

This Rule shall be deemed to have come into force with effect from 28<sup>th</sup> March, 1983.

2. A person will be eligible for overtime allowance only if he has been on duty on a working day for a minimum period of two hours before 10 a.m. or after 5.00 p.m. or for a minimum period of 3 hours on an intervening holiday during the Assembly Session.
3. Such members of the staff whose presence may be necessary in the interests of work shall be specifically required in writing by the Head of Department/Office or by his immediate subordinate Gazetted Officer to attend office earlier and/or to stay longer or to attend office on holiday. Only individuals who have been so directed will be eligible for overtime allowance.
4. The following certificate will be signed by the drawing officer in the bills claiming overtime allowance -
- “Certified that Sri..... was required under specific orders to sit late in office/to attend office early on.....or to attend office on Sunday/.....holiday and was detained from..... a.m to ..... a.m./p.m.....to .....p.m. for disposal of urgent work relating to the Legislative Assembly.
- Also certified that the amount claimed by Sri.....is in accordance with the rates prescribed in the rules in Appendix IV A of the Kerala Service Rules.”
5. Members of the staff who are eligible for allowance in accordance with these rules will not be eligible for any other additional remuneration, conveyance/hire charges or compensation leave for the performance of the same duties.

6. The allowance will be classified as 'honorarium' and will be drawn in establishment/salary bills. In the case of Gazetted Officers, the allowance will be authorised by the Accountant General on certificates furnished by the Head of Department/Office or by his immediate subordinate Gazetted Officer.
7. A register showing details of overtime work done, allowance paid therefore, etc., will be maintained in Form No. 14.

Effective from 11<sup>th</sup> June 1963.

G.O.(P) 602/63/Fin.,  
dt. 2-12-1963]

#### APPENDIX V

#### **LIST OF RECOGNISED \*TUBERCULOSIS, LEPROSY AND CANCER INSTITUTIONS AND MENTAL HOSPITALS FOR PURPOSES OF GRANT OF EXTRAORDINARY LEAVE TO OFFICERS NOT IN PERMANENT EMPLOY**

(Referred to in Note 3 under Rule 90 of Part I)

#### PART I

#### **Tuberculosis Institutions**

(a) *Within Kerala*

1. K.V. Sanatorium, Mulankunnathukavu
2. T.B. Sanatorium, Pariyaram
3. T.B. Centre, Trivandrum.
4. T.B. Hospital, Pulayanarkottah.
5. T.B. Clinic, Palluruthy
6. Do. Kottayam.
7. Do. Trichur
8. Do. Kozhikkode
9. T.B. Seal Ward, Alleppey
10. Do. Ayyampally
11. Do. Alwaye
12. Do. Palluruthy
13. Do. Chittoor.
14. T.B. Clinic, Alleppey
15. Do. Karunagappally
16. Do. Palghat
17. Do. Muvattupuzha
18. Do. Cannanore
19. Do. Kozhencherry
20. Do. Kottarakkara

21. T.B. Clinic, Karuvatta
22. T.B. diagnostic Centre, Quilon
23. T.B. Isolation Ward, District Hospital, Palghat.
24. Do. Cannanore
25. Do. Government Hospital, Chirayinkil
26. T.B. Seal Ward, Muvattupuzha
27. Do. Palai
28. Do. Chengannur
29. Do. Kozhencherry
30. Do. Chalakkudy
31. Do. Mavelikkara
32. Do. Changanacherry
- Do. Mannarghat

\*[G.O.(P) 570/78/Fin.,  
dt. 11-7-1978]

(b) *Outside Kerala*

1. Madar Union Sanatorium, Madar, Ajmer, Merwara.
2. Reid Provincial Sanatorium, Shillong
3. Municipality Tuberculosis Hospital, Civil and Military Station, Bangalore.
4. Government Tuberculosis Sanatorium, Bangalore Cantt.
5. S.B. Dey Sanatorium, Kurseong
6. Jadabpur Tuberculosis Hospital, Jadabpur
7. Itki Sanatorium, Itki.
8. Turner Sanatorium, Bhoiwada Hill, Parel, Bombay.
9. The Bel-Air Sanatorium, Delkeith, Panchgani
10. Hillside Sanatorium, Gengurla
11. The Salvation Army Tuberculosis Hospital, Anand, District Kaira
12. Wanless Tuberculosis Sanatorium, Wanlesswadi, District Satara
13. Pendra Road Sanatorium, Pendra Road, Madhya Pradesh
14. The Nagpur Tuberculosis Clinic, New Delhi
15. Silver Jubilee Tuberculosis Hospital, Kingsway, Delhi
16. The New Delhi Tuberculosis Clinic, New Delhi
17. Union Mission Tuberculosis Sanatorium, Arogyavaram.
18. Visrantipuram Sanatorium, Rajamundry
19. Government Tuberculosis Sanatorium, Tambaram, Madras.

APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND CANCER  
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NOT IN PERMANENT EMPLOY

---

20. Coimbatore District Jubilee Tuberculosis Sanatorium, Perundurai
21. Government Tuberculosis Hospital, Royapettah, Madras City.
22. The King Edward Sanatorium, Dharombur (Simla Hills)
23. Lady Irwin Tuberculosis Sanatorium, Jubar
24. Lady Linlithgow Sanatorium, Kassuli
25. Raj Bahadur Sir Gujarmal Kesradevi Tuberculosis Sanatorium, Amritsar
26. King Edward VII Sanatorium, Bhowali.
27. Tuberculosis Clinic attached to the Calcutta Medical College, Calcutta.
28. Shree Padmavatidevi Sanatorium, Baroda City.
29. Ganga Golden Jubilee Tuberculosis Dispensary and Hospital, Bikaner
30. Tuberculosis Hospital, Lingamapalli, Hyderabad.
31. Princes Krishna Jammanni Sanatorium, Mysore City
32. Tuberculosis Hospital, Nagercoil, Madras State
33. Tuberculosis Government Hospital, Kanchrapra
34. The Tuberculosis Department of the Government Headquarters Hospital, Trichinopoly.
35. Rajaji Tuberculosis Sanatorium, Trichinopoly
36. Santosham Memorial Tuberculosis Sanatorium, Tambaram, Madras.
37. The Municipal Tuberculosis Dispensary, Civil and Military Station, Bangalore
38. The Kasturba Tuberculosis Clinic and Hospital, Lucknow.
39. Government Tuberculosis Institute, Madras
40. Government Headquarters Hospital, Coimbatore
41. Government Headquarters Hospital, Tanjore
42. Government Erskine Hospital, Mathurai
43. Government King George Hospital, Visakhapatnam.
44. Government General Hospitals, Madras.
45. Government Wellesley Tuberculosis Sanatorium, Bellary.
46. Telegaon General Hospital and Convalescent Home, Telegaon (Dabhade—District Poona)
47. Victoria Jubilee Hospital, Amritsar
48. King George Medical College Hospital, Lucknow.
49. Patna Medical College Hospital
50. Tuberculosis Clinic, Jubbulpoor

51. Tuberculosis clinic, Queens Road, Delhi
52. Ramakrishna Mission Free Tuberculosis Clinic, Karol Bagh, Delhi
53. Group of Hospital for Tuberculosis, Bombay
54. Central T.B. Clinic, Kanpur
55. Hospital for Diseases of the Chest Camp, Aundh, Poona
56. K.M.R. Bangu T.B. Sanatorium, Digri, Midnapur
57. Government T.B. Clinic, Mandi
58. Himachal Pradesh Sanatorium, Mandhodhar, Near Dharambur
59. Karnataka Health Institute, Hospital and Sanatorium, Ghataprabha (Belgaum District)
60. V.C. Nath T. B. Sanatorium, Bharatpur
61. Ramakrishna Mission T.B. Sanatorium, Ranchi (Bihar)
62. Sriram Chandra Bhanji Medical College Hospital, Cuttack
63. T.B. Sanatorium, Dakpathan (District Dehra Dum)
64. T.B. Sanatorium, Jaipur
65. T.B. Clinic, Jodhpur
66. M.G. Hospital, Jodhpur
67. T.B. Hospital, Iramumna
68. T.B. Sanatorium, Vikarabad (Anathgiri)
69. T.B. Clinic, Dapirpura.
70. T.B. Clinic, Patiala, Punjab
71. Hardinge Sanatorium, Dharampur (Simla Hills)
72. K.J. Mehta T.B. Hospital, Amargadh (via. Songadh), Bombay
73. T.B. Ward, J.A. Hospital, Gwalior, Madhya Pradesh
74. T.B. Wards, M.T. Hospital, Indore, Madhya Pradesh
75. T.B. Sanatorium, Rao Indore, Madhya Pradesh
76. S.D.S. Sanatorium, Bangalore
77. T.B. Clinic, Allahabad
78. The Coimbatore Tuberculosis Sanatorium, Peelamedu P.O., Avanashi Road, Coimbatore
79. Lala Ram Sarup Tuberculosis Hospital, Mehrauli (Delhi)
80. Rocky Mount Sanatorium, Ara P.G. Mankum (near Ranchi)
81. Mahatma Gandhi Memorial T.B. Sanatorium, Sangipa, Tanjore District
82. Medical Ward (T.B.) attached to the R.G. Ker Medical College Hospital, Calcutta
83. T.B. Hospital, Uditnarayanbur (near Bhowani, Patna, Orissa)
84. Brij Sewa Samiti T.B. Sanatorium, Vrindaban (Mathura)



APPENDIX V] LIST OF RECOGNISED TUBERCULOSIS, LEPROSY AND CANCER  
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85. The Government Welfare Fund T.B. Hospital, Nellore (Andhra)
86. Bhabendra Bala Chest Clinic, Serampore (West Bengal)
87. T.B. Clinic, Chemba
88. C.D. Hospital, Srinagar
89. C.D. Hospital, Jammu

**PART II**

**Leprosy Institutions**

- (a) Within Kerala
  1. Leprosy Sanatorium, Noornad
  2. Leprosy Sanatorium, Koratty
  3. Leprosy Treatment Centre, Kayamkulam
  4. Leprosy Treatment Centre, Haripad
  5. Leprosy Subsidiary Centre, Ponnani
  6. Leprosy Subsidiary Centre, Baliapatam
  7. Mission Leprosy Sanatorium, Chevayur
  8. The Poor Home Society Leprosy Home, Kozhikkode.
- b) Outside Kerala
  1. Bethesad Leprosy Hospital, Nerespur, West Godavary District
  2. The Salvation Army Leprosy Hospital, Babatla, Guntur District
  3. Leprosy Hospital, Keserapalla, Krishna District
  4. Leprosy Hospital, Salure, Srikakulam District
  5. Leprosy Home, Vizianagram, Vishakapatnam District
  6. Leprosy Home and Hospital, Ramachandrapuram (East Godavari District)
  7. A.L.C. Mission Leprosy Hospital, Kodur, Cuddapah District
  8. Leprosy Clinic, Karwan
  9. Leprosy Hospital, Dichpally
  10. Leprosy Colony, Zeheerbad
  11. Leprosy Colony, Narayanpet
  12. Santipara Leprosy Colony, P.O. Bengaingaon (Goalpara District)
  13. Christian Leprosy Colony, P.O. Barpheta, Jorhat
  14. Seldeha Leper Colony (Santhal Parganas)
  15. The Acworth Leprosy Home and Clinic, Vadaia Bombay No.31
  16. The Leprosy Hospital, Sholapur
  17. The Sasson Hospital, Poona (O.P.D.)
  18. The Leprosy Hospital, Polarpur (District Kolaba)
  19. The Anti-Leprosy Clinic, Ambewadi South, Satara District

20. The Shenda Park Leprosy Colony, Kolhapur
21. The Kegrabeth Leprosy Hospital, Ahmedabad
22. Leprosy Colony, Osmanbad
23. Kothara Leprosy Home, P.O. Achalpur (District Amarvathi)
24. Jagadamba Kustha Nivar, Amarvati
25. Dattabur Leprosy Colony, P.O. Nalwadi (District Wardha)
26. Leprosy Colony, Warora, District Chanda.
27. Isolation Colony, Kashikhed P.O., Dhamangaon,, District Amarvati
28. Leper Asylum, Adhewada, Bhavangar
29. Leper Clinic, Punagadh
30. Government Leprosy Hospital, Schore
31. Leprosy Home, Banganga, Indore
32. Leprosy Home, Ujjain
33. Leprosy Home, Rajgarah
34. Henderson Memorial Leper Home, Dhar
35. Chandkhuri Leprosy Home and Hospital, P.O. Baitapur (District Bilaspur)
36. Bethesda Leprosy Asylum, Champa (District Bilaspur)
37. Shantipur Leprosy Asylum, P.O. Shantipur (District Rajpur)
38. Rajnandgaon Leprosy Home and Clinic, District Durg
39. Government Leprosy Home and Hospital, Raipur
40. Brehepada Leprosy colony, Narayanapur (District Bastar)
41. Chittalanka Leprosy Colony, Dartewara, (District Bastar)
42. Government Lady Willingdon Leprosy Sanatorium, Tirumani, Chingelput
43. Government Children's Leprosy Sanatorium, Madras.
44. St. Mary's Leprosy Hospital, Kumbakonam (Tanjore District)
45. Dayapuram Leprosy Hospital and Home, Manamadura (Ramanad District)
46. Kasturba Gandhi Kusta Nivarana Nilayam, Mazhavanthangal (South Arcot District)
47. St. Joseph's Leprosy Home, Tuticorin (Tirunelveli District)
48. Government Leprosy Treatment Unit, Tirukoilur Leprosy Colony, Imphal.
49. Government Leper Asylum, Magadi Road, Bangalore.
50. The Silver Jubilee Leprosy Hospital, Sankeshwar (District Belgaum)
51. The Leprosy Hospital, Hindaalgi (District Belgaum)

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52. St. Josheph's Leprosy Hospital and Asylum, Kankareddy (South Kanara District)
53. Leprosy Home and Hospital, Cuttack
54. Leprosy Asylum, Baripada
55. Leprosy Hospital, Subatu
56. Leprosy Home, Palampur (Kangra District)
57. Leprosy Clinic attached to V.M. Hospital, Agart
58. Naini Leprosy Hospital and Home, Naini (Allahabad)
59. Leprosy Hospital under the Gandhi Memorial and Associated Hospital, Lucknow
60. Maclaren Leper Hospital, Dehradun
61. Srimati Bhagwan Dei Leper Hospital, Kanpur
62. Leprosy Home and Hospital, Almora
63. Leprosy Home and Hospital, Chaudag, Almora District
64. Skin and V.D. Dept., S.N. Hospital, Agra
65. Leprosy Home and Hospital, Zamuratgang, Faizabad
66. Skin Dispensary, K.E. Hospital, Banares
67. The State Leper Hospital, Baharaich
68. Gouripore Leprosy Colony, Bankura
69. Leprosy Home, Bankura
70. Silda Leprosy Clinic, Midnapure
71. Griffiths Leprosy Colony, Midnapur
72. Municipal Charitable Leprosy Clinic, Burdwan
73. Asansol Leprosy Settlement, Asansol
74. Raniganj Leprosy Home, Burdwan District
75. Krishnagar Leprosy Clinic, Nadia District
76. Leprosy Clinic, Howrah
77. Behrampore Leprosy Clinic, Murshidabad District
78. Kalimpong Leprosy Colony, Darjeeling District
79. Alber Victor Leprosy Hospital, Calcutta
80. Leprosy Outpatient Dept., School of Tropical Medicine, Calcutta
81. Premananda Leprosy Clinic, Maniktala
82. Premananda Leprosy Clinic, Kalighat
83. Sriniketan Leprosy Clinic, Birhum District
84. Purutia Leper Asylum (Manbhum District)

## APPENDIX - VI

### **RULES FOR THE GRANT OF STUDY LEAVE TO OFFICERS**

(Referred to in Rule 99 of Part I)

The following rules relate to study leave only. They are not intended to meet the case of officers deputed to other countries at the instance of Government either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will be dealt with on their merits under the provisions of the relevant rules and it will be for the Government to decide on the recommendation of the Head of the Department whether an officer shall be placed on deputation or granted study leave in accordance with the following rules:

1. *Conditions for grant of study leave.*—(1) Subject to the conditions specified in these rules, study leave may be granted to a Government servant with due regard to the exigencies of public service to enable him to undergo in or out of India a special course of study consisting of higher studies or specialised training in a professional or a technical subject having a direct and close connection with the sphere of his duties.
  - (2) Study leave may also be granted—
    - (i) for a course of training or study tour in which a Government servant may not attend a regular academic or semi academic course if the course of training or the study tour is certified to be of definite advantage to Government from the point of view of public interest and is related to the sphere of duties of the Government servant; and
    - (ii) for the purpose of studies connected with the frame work of background of public administration; subject to the condition that the Government servant should be required to submit on his return a full report on the work done by him while on study leave.
    - (iii) for the studies which may not be closely or directly connected with the work of a Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.
  - 3) Study leave shall not be granted unless—
    - (i) the proposed course of study or training shall be of definite advantage from the point of view of public interest,
    - (ii) it is for prosecution of studies in subjects other than academic or literary subjects, and
    - (iii) the Economic Affairs Department of the Ministry of Finance agrees to the release of foreign exchange involved in the grant of study leave, if such leave is outside India.
  - (4) Study leave out of India shall not be granted for the prosecution of studies in subjects for which adequate facilities exist in India.
  - (5) Study leave may be granted to a Government servant only if he has

rendered not less than five years' service under the Government and is not due to retire and has not got the option to retire from Government service within three years of the date of which he is expected to return to duty after the expiry of the leave.

- (6) Study leave shall not be granted to a Government servant with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave.
2. *Authority competent to sanction study leave.*—(1) Study leave shall be sanctioned only by the Government.
- (2) Where a Government servant borne permanently on the cadre of one department or establishment is serving temporarily in another department or establishment, the grant of study leave to him shall be subject to the conditions that:
- (i) no substitute shall be appointed to carry on his work in his absence ; and
- (ii) the concurrence of the department or the establishment to which he is permanently attached is obtained before leave is granted.
3. *Maximum amount of study leave that may be granted at a time and during the entire service.*—The maximum amount of study leave, which may be granted to a Government servant shall be—
- (i) ordinarily twelve months at any one time, which shall not be exceeded save for exceptional reasons; and
- (ii) 24 months (inclusive of study leave granted under any other rules) in all during his entire service.
4. *Combination of study leave with leave of other kinds.*—(1) Study leave may be combined with other kinds of leave but in no case shall the grant of this leave in combination with leave other than leave without allowances involve a total absence of more than twenty-eight months from the regular duties of the Government servant.
- (2) A Government servant granted study leave in combination with any other kind of leave may, if he so desires, commence his study before the end of the other kind of leave but the period of such leave coinciding with the course of study shall not count as study leave.
- Note.* - The limit of twenty -eight months of absence prescribed in sub-rule (1) includes the period of vacation.
5. *Regulation of study leave extending beyond course of study.*— When the course of study falls short of study leave sanctioned, the Government servant shall resume duty on the conclusion of the course of study, unless the previous assent of the Government to treat the period of short-fall as ordinary leave has been obtained.
6. *Grant of study allowance.*—A study allowance shall be granted for the period spent in prosecuting definite course of study at a recognised institution or in any definite tour or inspection of any special class of work, as well as for the period covered by any examination at the end of the course of study.
7. *Period for which study allowance may be granted* .--The period for which study allowance may be granted shall not exceed twenty-four months in all.

8. *Rate of study allowance* —The rates of study allowance shall be as follows but may be revised from time to time :

<i>Name of Country</i>	<i>Study allowance per diem</i>
Australia	12s (Sterling)
Continent of Europe	F1 (Sterling)
India	(i) When the period of study does not exceed three months.  Half the full daily allowance to which the Government servant would have been entitled under the rules regulating his Travelling Allowance if he were on tour to the place of the study.  (ii) when the period of study exceeds three months—  The study allowance will be at monthly rates, granted as compensatory allowance to be fixed in each case in accordance with the instructions in Circular No. 43/63/Rules/Fin., dated 20 <sup>th</sup> June 1963 subject to the maximum limit prescribed in G. O. (Ms.) 435/62/Fin., dated 4 <sup>th</sup> October 1962. The monthly rate will also be subject to the further condition that it should not exceed what the Government servant would have received had the allowance been regulated under clause (i) above.
New Zealand	12s (Sterling)
United Kingdom	16s (Sterling)
United States of America	30s (Sterling)

- (2) The rates of study allowance to be granted to a Government servant who takes study leave in other countries shall be such as may specially be determined by the Government in each case.
- (3) In cases where a Government servant is on study leave at the same place as his place of duty, the leave salary plus the study allowance shall not together exceed the pay that he would have otherwise drawn had he been on duty.

9. *Conditions governing grant of study allowance.*—(1) Study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to Government any overpayment consequent on his failure to produce the required certificate of attendance or otherwise.

(2) A Government servant may be allowed to draw study allowance for the entire period of vacation during the course of study subject to the conditions that—

- (i) he attends during vacation any special course of study or practical training under the direction of the Government; or
- (ii) in the absence of any such direction, he produces satisfactory evidence before the Head of Mission that he has continued his studies during the vacation.

*Note.* - "Head of Mission" means Ambassador, Charge 'D' Affairs, Minister, Counsel-General, High Commissioner and any other authority declared as such by the Central Government in the country in which the Government servant undergoes a course of study or training.

(3) No study allowance shall be drawn during vacation falling at the end of a course of study except for a maximum period of fourteen days.

*Note.* - The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of twenty-four months for which study allowance is admissible.

(4) Study allowance shall not be granted for any period during which the Government servant interrupts his course of study to suit his own convenience:

Provided that the Government in a case where the study leave is taken in India or a country where there is no Indian Mission and the Head of Mission in other cases, may authorise the grant of study allowance for any period not exceeding fourteen days at a time during which the Government servant is prevented by sickness from pursuing his course of study.

(5) In the case of a definite course of study at a recognised institution, the study allowance shall be payable by the Government, if the study leave availed of is in India or in a country where there is no Indian Mission, and by the Head of Mission in other cases, on claims submitted by the Government servant from time to time, supported by the proper certificates of attendance.

(6) The certificate of attendance required to be submitted in support of the claims for study allowance shall be forwarded at the end of the term, if the Government servant is undergoing study in an educational institution, or at intervals not exceeding three months, if he is undergoing study at any other institution.

(7) When the programme of study approved does not include, or does not consist entirely of such a course of study, the Government servant shall submit to the Government direct or through the Head of Mission a diary showing how his time has been spent and a report indicating fully the nature of the methods and operations which have been studied and including suggestions as to the possibility of adopting such methods or operations to conditions obtaining in India. The Government shall decide whether the diary and report show if the time of the Government servant was properly employed and shall determine accordingly for what periods study allowance may be granted.

(8) (i) In the case of Government servant who holds a gazetted post, the payment of study allowance at the full rate shall be subject to the

production of a certificate to the effect that he is not in receipt of any scholarship/stipend or any other remuneration in respect of any part-time employment, and

(ii) In the case of a Government servant who does not hold a gazetted post, such a certificate as is referred to in clause (i) of this sub-rule shall be obtained from him by the drawing officer and the same shall be enclosed along with the bill for the drawal of study allowance.

10. *Grant of study allowance to Government servants in receipt of scholarship or stipend.*—A Government servant, who is granted study leave, may be permitted to receive and retain, in addition to his leave salary any scholarship or stipend that may be awarded to him from a Government or non-Government source. Such a Government servant shall ordinarily not be granted any study allowance; but in cases where the net amount of the scholarship or stipend (arrived at by deducting the cost of fees paid by the Government servant, if any, from the value of the scholarship or stipend) is less than the study allowance that would be admissible but for the scholarship or stipend the difference between the value of the net scholarship or stipend and the study allowance may be granted by the Government.
11. *Grant of study allowance to Government servant who accept part-time employment during study leave.*—If a Government servant, who is granted study leave, is permitted to receive and retain, in addition to his leave salary, any remuneration in respect of a part-time employment he shall ordinarily not be granted any study allowance; but in cases where the net amount of remuneration received in respect of the part-time employment (arrived at by deducting from remuneration any cost of fees paid by the Government servant) is less than the study allowance that would be admissible but for the remuneration the difference between the net remuneration and the study allowance may be granted by the Government.
12. *Allowance in addition to study allowance.*—No allowance of any kind other than the study allowance or the Travelling Allowance where specially sanctioned under Rule 13 shall be admissible to a Government servant in respect of the period of study leave granted to him.
13. *Grant of Travelling Allowance.*—A Government servant shall not ordinarily be paid Travelling Allowance; but the Government may in exceptional circumstances sanction the payment of such allowance.
14. *Cost of fees for study.*—A Government servant granted study leave shall ordinarily be required to meet the cost of fees paid for the study but in exceptional cases the Government may sanction the grant of such fees:

Provided that in no case shall the cost of fees be paid to a Government servant who is in receipt of scholarship or stipend from whatever source or who is permitted to receive or retain in addition to his leave salary, any remuneration in respect of part-time employment.

15. *Execution of a bond.*—(1) Every Government servant in permanent employ who has been granted study leave or extension of such leave shall be required to execute a bond as given in Annexure A or Annexure A1, as the case may be, before the study leave or extension of such leave granted to him commences. If study leave or extension of such leave is granted to a Government servant not in permanent employ, the



bond shall be executed as given in Annexure B or Annexure B1 as the case may be.

- (2) A certificate to the effect that the Government servant has executed the requisite bond shall be sent to the Accountant General.

*Note.* – The actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, to be incurred by the Government and drawn by him for the period of study leave († together with interest thereon) shall be prescribed as sum payable to Government.

[G.O.(P) 120/72/Fin.,  
dt. 2-5-1972]

† This amendment shall be deemed to have come into force with effect from 17<sup>th</sup> November 1969.

[G.O.(P) 588/70/Fin.,  
dt. 19-8-1970]

16. *Resignation and retirement.*—If a Government servant resigns or retires from service without returning to duty after a period of study leave or within a period of three years after such return to duty, he shall be required to refund the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Government drawn by him for the period of study leave, together with interest thereon at Government rates for the time being in force on Government loans from the date of demand before his resignation is accepted or permission to retire is granted :

Provided that the Government may order that nothing in this rule shall apply to a Government servant who, on return to duty from study leave, is permitted to retire from the service on medical grounds.

- (2) The study leave availed of by such a Government servant shall be converted into regular leave standing at his credit on the date on which the study leave commenced, any regular leave taken in continuation of study leave being suitably adjusted for the purpose and the balance of the period of study leave, if any, which cannot be so converted, treated as leave without allowances. In addition to the amount to be refunded by the Government servant under sub-rule (1), he shall be required to refund any excess of leave salary actually drawn over the leave salary admissible on conversion of the study leave.

- (3) Notwithstanding anything contained in this rule, the Government may, if it is necessary or expedient so to do, either in public interest or having regard to the peculiar circumstances of the case or class of cases, by order, waive or reduce the amount required to be refunded under sub-rule (1) by the Government servant concerned or class of Government servants.

17. *Leave salary during study leave.*—During study leave a Government servant shall draw leave salary equal to the amount admissible during half pay leave under Rule 93, Part I, Kerala Service Rules.

#### **Ruling**

An officer on study leave is not eligible for dearness allowance.

[G.O.(P) 444/72/Fin.,  
dt. 14-9-1972]

18. *Commencement of a course of study during leave other than study leave.*—A Government servant, may, subject to the approval of the proper authority being obtained as required under paragraph I of Annexure C to these rules undertake or commence a course of study during earned leave and subject to Rules 6 to 13 and 16, draw study allowance in respect thereof.

19. *Counting of study leave for promotion, pension, seniority, leave and increments.*—(1) Study leave shall count as service for promotion, pension and seniority. It shall also count as service for increments in the post in which the Government servant would have continued but for going on study leave.
- (2) The period spent on study leave shall not count for earning leave other than half pay leave.
20. *Debiting of study leave to the leave account.*—Study leave shall be treated as extra half pay leave and shall not be taken into account in reckoning the aggregate amount of half pay leave taken by the Government servant towards the maximum period admissible.
21. *Procedure for making application for study leave and grant of such leave.*—The procedure for making application for study leave and grant of such leave shall be as laid down in the Procedural Instructions given in Annexure C to these rules.

ANNEXURE A  
(See Rule 15, Part I)

**BOND FOR PERMANENT GOVERNMENT SERVANT PROCEEDING  
ON STUDY LEAVE UNDER THE STUDY  
LEAVE RULES CONTAINED IN APPENDIX VI TO  
THE KERALA SERVICE RULES.**

KNOW ALL MEN BY THESE PRESENTS THAT I..... resident of ..... in the District of ..... at present employed as .....in the Office of .....do hereby bind myself and my heirs, executors and administrators to pay to the Governor of Kerala (hereinafter called “the Government”) on demand the sum of Rs..... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER WITH all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this ..... day of ..... one thousand nine hundred and .....

Signature .....

Witnesses (1)

(2)

WHEREAS, I .....am granted study leave by Government :

AND WHEREAS for the better protection of the Government I have agreed to execute this bond with such condition as hereunder is written :

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my resigning or retiring from service without returning to duty after the expiry or termination of the

period of study leave or at any time within a period of three years after my return to duty I shall forthwith pay to the government or as may be directed by the Government on demand the said sum of Rs..... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon my not making such payment all sums found due to the Government under or by virtue of this bond shall be recoverable from me and my 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.

The Government of Kerala have agreed to bear the stamp duty payable on this bond.

Signed and delivered by  
..... in the presence of

Witness (1)  
(2)

ACCEPTED  
for and on behalf of the Governor of Kerala.

ANNEXURE A-1  
(See Rule 15)

**BOND FOR PERMANENT GOVERNMENT SERVANTS  
GRANTED EXTENSION OF STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT I..... resident of ..... in the District of ..... at present employed as ..... in the Office of..... do hereby bind myself and my heirs, executors and administrators to the Governor of Kerala (hereinafter called "the Government") on demand the sum of Rs..... (Rupees.....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Singed and dated this ..... day of ..... one thousand nine hundred and .....

WHEREAS I ..... was granted study leave by

Government for the period from ..... to ..... in consideration of which I executed a bond dated ..... for Rs. ....(Rupees .....) in favour of the Governor of Kerala;

AND WHEREAS the extension of study leave has been granted to me at my request until .....

AND WHEREAS for the better protection of the Government I have agreed to execute this bond with such conditions as hereunder is written;

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of my resigning or retiring from service without returning to duty after the expiry or termination of the period of study leave so extended, or at any time within a period of three years after my return to duty I shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs.....(Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

And upon my not making such payment all sums found due to the Government under or by virtue of this bond shall be recoverable from me and my 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.

The Government of Kerala have agreed to bear the stamp duty payable on this bond.

Signed and delivered by

..... in the presence of

Witnesses (1)

(2)

ACCEPTED

for and on behalf of the Governor of Kerala.

ANNEXURE B

(See Rule 15)

**BOND FOR TEMPORARY GOVERNMENT SERVANTS  
PROCEEDING ON STUDY LEAVE UNDER THE  
STUDY LEAVE RULES CONTAINED IN  
APPENDIX VI TO THE KERALA  
SERVICE RULES**

KNOW ALL MEN BY THESE PRESENTS THAT WE ..... resident of .....in the district of .....at present employed as ..... in the Office of .....(hereinafter called " the obligor") and Sri ..... son of .....of .....and Sri ..... Son of ..... of ..... (hereinafter called "the sureties") do hereby jointly and severally bind ourselves and our respective heirs,

executors and administrators to pay to the Governor of Kerala (hereinafter called "the Government") on demand the sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charge and expenses that shall or may have been incurred by the Government.

Signed and dated this ..... day of ..... one thousand nine hundred and .....

Signature of the obligor .....

Sureties (1)

(2)

Witnesses (1)

(2)

WHEREAS the obligor is granted study leave by the Government;

AND WHEREAS for the better protection of the Government the obligor has agreed to execute this bond with such condition as hereunder is written;

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the obligor Sri ..... resigning from service without returning to duty after the expiry or termination of the period of study leave or at any time within a period of three years after his return to duty the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs..... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

The obligor and the sureties doth 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.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Sri .....and Sri ..... or any of them for amounts due hereunder.

The Government of Kerala have agreed to bear the stamp duty payable on this bond.

Signed and delivered by the obligor above-named Sri..... in the presence of .....

Signed and delivered by the surety above-named Sri ..... in the presence of .....

Signed and delivered by the surety above-named Sri..... in the presence of .....

ACCEPTED

for and on behalf of the Governor of Kerala.

**ANNEXURE B-1**

(See Rule 15)

**BOND FOR TEMPORARY GOVERNMENT SERVANTS  
GRANTED EXTENSION OF STUDY LEAVE**

KNOW ALL MEN BY THESE PRESENTS THAT WE ..... resident of ..... in the District of ..... at present employed as ..... in the Office of ..... (hereinafter called "the obligor") and Sri..... son of ..... of ..... and Sri. .... son of ..... of ..... (hereinafter called the sureties) do hereby jointly and severally bind ourselves and our respective heirs, executors and administrators to pay to the Governor of Kerala (hereinafter called "the Government") on demand the sum of Rs..... (Rupees .....) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans or, if payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Government.

Signed and dated this ..... day of ..... one thousand nine hundred and .....

WHEREAS the obligor was granted study leave by the Government for the period from ..... to ..... in consideration of which he executed a bond dated ..... for Rs. .... (Rupees.....) in favour of the Governor of Kerala.

AND WHEREAS the extension of study leave has been granted to the obligor at his request until .....

AND WHEREAS for the better protection of the Government the obligor has agreed to execute this bond with such condition as hereunder is written ;

AND WHEREAS the said sureties have agreed to execute this bond as sureties on behalf of the above bounden.....

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION IS THAT in the event of the obligor Sri ..... resigning from service without returning to duty after the expiry or termination of the period of study leave so extended or at any time within a period of three years after his return to duty the obligor and the sureties shall forthwith pay to the Government or as may be directed by the Government on demand the said sum of Rs. .... (Rupees ..... ) together with interest thereon from the date of demand at Government rates for the time being in force on Government loans.

The obligor and the sureties doth 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.

PROVIDED ALWAYS that the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance, act or omission of the Government or any person authorised by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Government to sue the obligor before suing the sureties Sri..... and Sri..... or any of them for amounts due hereunder.

Government of Kerala have agreed to bear the stamp duty, payable on this bond.

IN WITNESS WHEREOF ..... the Government servant above-named has signed these presents the day, month and year first above written.

Signed, sealed and delivered by ..... in the presence of :

- 1.
- 2.

ACCEPTED

for and on behalf of the Governor of Kerala, by .....

ANNEXURE C

(See Rule 15)

**PROCEDURAL INSTRUCTIONS FOR MAKING  
APPLICATION FOR STUDY LEAVE AND  
GRANT OF SUCH LEAVE**

1. Except as otherwise provided in these rules, all applications for study leave shall be submitted to Government with the Accountant General's certificate through the prescribed channel and the course

or courses of study contemplated and any examination which the Government servant proposes to undergo shall be clearly specified therein. If the course of study is out of India, the Government shall forward to the Head of Mission, if there is an Indian Mission in that country, a copy of the approved programme of study. In case where it is not possible for the Government servant to give full details in his original application, or if, after leaving India he is to make any change in the programme which has been approved in India, he shall submit the particulars as soon as possible to the Head of Mission or the Government, as the case may be. In such cases he shall not, unless prepared to do so at his own risk, commence the course of study nor incur any expenses in connection therewith until he receives an approval of the Government.

2. Where the study leave is sanctioned it shall be communicated to the Head of Mission with the particulars of the case.
3. On completion of a course of study a certificate in the proper form (which may be obtained from the Head of Mission) together with certificates of examinations passed or special courses of study undertaken indicating the date of commencement and termination of the course with remarks, if any, of the authority in charge of the course of study, shall be forwarded to the Head of Mission concerned. When the study leave has been taken in India or any other country where there is no Indian Mission, such certificate shall be forwarded to the Government.

## **APPENDIX VII**

### **RULES RELATING TO CASUAL LEAVE**

(Referred to in Rule 111 of Part I)

1. Casual leave is not provided for in the rules as it is not recognised as leave. Technically therefore an officer on casual leave is not treated as absent from duty and his pay and allowances are not intermitted. The grant of such leave need not be reported to the Audit Officer, nor is it necessary for the officer to submit charge certificates when he proceeds on or returns from casual leave.
2. (i) No officer may in any case be absent on casual leave for more than twenty days in the course of one calendar year. But the members of the teaching staff of educational institutions shall be eligible for casual leave only for fifteen days in a calendar year.  
(ii) All officers including teaching staff of educational institutions may be allowed to combine casual leave with Sundays and other authorised holidays provided that the resulting period of absence from duty shall not exceed fifteen days at a stretch. The fact that a maximum has been fixed for the amount of casual leave which may be taken within a year, does not mean that an officer is entitled to take the full amount of casual leave as a matter of course.

[G.O.(P) 648/78/Fin.,  
dt. 24-8-1978]

\*[G.O.(P) 648/78/Fin.,  
dt. 24-8-1978]



*Exception:-* The maximum period of absence combining casual leave with Sundays and other authorised holidays will be twenty days at a stretch for the State Government employees working in New Delhi.

[G.O.(P) 51/89/Fin.,  
dt. 30-1-1989]

(iii) All officers including those who have put in less than a year's service will be allowed casual leave at the rate of 20 days during a year without taking into account the length of service put in by them subject to the discretion of the sanctioning authority :

Provided that the teaching staff of educational institutions may be granted casual leave for fifteen days only during a year.

[G.O.(P) 622/79/Fin.,  
dt. 19-7-1979]

The amendment shall be deemed to have come into force with effect from 1<sup>st</sup> January 1970.

[G.O.(P) 844/70/Fin.,  
dt. 5-12-1970]

3. An officer requiring casual leave should take the orders of the head of his office for such absence. When the head of an office requires casual leave, he may take the leave and report the fact to his immediate superior authority. Heads of Departments should intimate their intention of taking casual leave to Government in the department concerned. In cases in which the casual leave is intended to be spent outside the jurisdiction of the officer, the previous sanction of the competent authority should be obtained.
4. A register of casual leave taken should be maintained in every office.
5. (i) An officer may be allowed casual leave for half a day at his request, provided that casual leave for half a day shall not be granted to the staff of the department of Museums and Zoos who work in shifts.  
(ii) Casual leave for half a day at a time may be granted to the technical staff of Government presses who have to work in the first shift that is from 8 a.m. to 4.30 p.m. with a noon interval of one hour between 1 p.m. and 2 p.m.. In respect of the second shift half day casual leave may be allowed only for the second half of the shift that is from 9 to 11.30 p.m.
6. Casual leave cannot ordinarily be taken in combination with any leave recognised by the rules, with joining time or with vacation. Heads of Departments may, however, sanction such combination in special cases, provided there is no evasion of rules, for instance, when an officer obliged to be absent owing to the prevalence of infectious disease in his residence and placed on special casual leave, himself contracts the illness and has to be granted regular leave in continuation.
7. Casual leave, not being recognised as leave, cannot be retrospectively commuted into any other kind of leave, but when an officer who proceeded on casual leave under the ordinary circumstances takes some other kind of leave in continuation, such leave will be held to have commenced from the date on which he proceeded on casual leave.
8. Deleted

[G.O.(P) 505/77/Fin.,  
dt. 7-12-1977]

[G.O.(P) 863/78/Fin.,  
dt. 18-12-1978]

## SECTION II — SPECIAL CASUAL LEAVE

1. Special Casual leave not counted against ordinary casual leave may be granted to an officer in the following circumstances :

- (i) When he is ordered by the head of his office to absent himself from duty on the certificate of a medical officer or sanitary authority on account of the presence of infectious disease in his residence \*provided no substitute is appointed and no extra cost to Government is involved. If, however, a substitute is necessary, ordinary leave debitable to the leave account of the officer should be granted. The grant of special casual leave involving the appointment of substitute in all other cases requires the sanction of Government; which will be accorded only when the absence is for less than 30 days and the subordinate concerned draws a pay of less than Rs.1640\*\* per mensem, and has no ordinary leave to his credit.

\*[G.O.(P) 164/74/Fin.,  
dt. 17-7-1974]

\*\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> March 1992.

\*\*[G.O.(P) 149/96/Fin.,  
dt. 30-1-1996]

Note 1. - When the officer himself catches the infection, regular leave under the rules must be taken for the period of absence.

Note 2. - The following diseases are treated as infectious diseases for the purpose of the grant of special casual leave:-

- 1) Smallpox
- 2) †Deleted
- 3) Plague
- 4) Cholera
- 5) Typhoid
- 6) Acute influenzal Pneumonia
- 7) Diphtheria
- 8) Cerebro-spinal meningitis

† [G.O.(P) 189/76/Fin.  
dt. 5-7-1976]

Note 3. - Leave under this head shall not ordinarily be granted for a period exceeding 21 days, but in exceptional cases it may be granted upto 30 days.

Note 4. - Special casual leave taken in any circumstances may be allowed to be combined with ordinary leave or ordinary casual leave.

Note 5. - The heads of offices will also be eligible for special casual leave under the Rules.

[G.O.(P) 164/74/Fin.,  
dt. 17-7-1974]

(ii) When he is summoned to serve as a juror or assessor or to give evidence before a court as a witness in civil or criminal cases in which his private interests are not in issue, the leave to cover the total period absence necessary.

(iii) When he is permitted to attend the meetings of a University, or to undertake any other work connected with a University, leave to cover the period of absence from duty.

But if he takes up examinership in University Examination

and accepts remuneration at the instance of Government, his absence will be treated as duty and if the work is not taken at the instance of Government, he will have to avail himself of eligible leave.

*Note.* - In the case of University examinations conducted by the Universities in Kerala, the examinership offered by one University to the teaching staff of colleges under another University and accepted by them will be treated as taking up examinership at the instance of Government for the purpose of this rule.

[G.O.(P) 167/82/Fin.,  
dt. 6-4-1982]

This Note shall be deemed to have come into force with effect from 18<sup>th</sup> February 1981.

(iv) When he is bitten by a rabid animal, or if it becomes necessary to undergo anti-rabic treatment due to infection during post-mortem examination or other similar causes, leave to cover the actual period required for treatment (14 days) and for the journeys to and from the nearest anti-rabic treatment centre.

(v) [Deleted]

(vi) When an officer in the last grade is temporarily incapacitated on account of typhoid and cholera inoculation leave for one day.

\*(vii) (a) A male Government employee who undergoes vasectomy operation for the first time will be granted special casual leave for a period not exceeding six working days. Intervening Sundays and closed holidays will be ignored while calculating the period of special casual leave. Special casual leave for a period not exceeding 6 days will be granted for undergoing vasectomy operation for the second time also on production of a medical certificate from the prescribed medical authority to the effect that the first operation was a failure and that the second operation was actually performed.

\*[G.O.(P) 381/83/Fin.,  
dt. 8-7-1983]

(b) A female Government servant who undergoes sterilisation operation will be granted special casual leave for a period not exceeding 14 days :

Provided that special casual leave for undergoing tubectomy operation for the second time will be granted only on production of a medical certificate from the prescribed medical authority to the effect that the first operation was a failure and that the second operation was actually performed.

(c) A male Government servant whose wife undergoes a gyno-sterilisation (tubectomy operation without delivery) will be granted special casual leave for a period not exceeding 7 days subject to production of a medical certificate from the medical officer who actually performs the operation.

(d) An Officer undergoing treatment due to complication arising from sterilisation operation shall be granted special casual leave to cover the period of such

treatment based on the certificate of the medical authority:

Provided that if the Government servant is not hospitalised the period of special casual leave granted will be limited to 7 days in the case of male officers and 14 days in the case of female officers.

### **Ruling**

Special casual leave under this rule may be combined with holidays provided that the total period of absence from duty does not exceed ten days.

(viii) Women employees who undergo I.U.C.D. insertion will be granted special casual leave for the day of insertion.

\*Special casual leave will be granted on the day of I.U.C.D.—re-insertion also.

\*[G.O.(P) 381/83/Fin.,  
dt. 8-7-1983]

(ix) When an officer as member of a staff council has to attend a meeting of the council, he will be granted special casual leave for the days required for the journey from his place of duty to the place of the meeting of the council and back.

(x-a) Special casual leave will be granted to women Government employees having less than three children for undergoing medical termination of pregnancy. The leave shall be granted only once in their service and shall be for a period of six days including the day on which medical termination of pregnancy is conducted.

[G.O.(P) 388/76/Fin.,  
dt. 16-12-1976]

(x-b) Female Government employees who undergo salpingectomy operation after Medical Termination of Pregnancy (MTP) may be granted special casual leave for a period not exceeding 14 days.

[G.O.(P) 381/83/Fin.,  
dt. 8-7-1983]

(x-c) Male Government employees whose wives undergo tubectomy/salpingectomy operation after Medical Termination of Pregnancy (MTP) may be granted special casual leave upto 7 days subject to the production of medical certificate stating that their wives have undergone tubectomy/salpingectomy operation after Medical Termination of Pregnancy. It shall not be necessary to state in the certificate that the presence of the Government employee is required to look after the wife during her convalescence.

[G.O.(P) 381/83/Fin.,  
dt. 8-7-1983]

(xi) An officer who is a member of the Indian Institute of Public Administration may be granted special casual leave to attend any meeting/seminar organised by the regional or local branch of the said Institute and for the days required for the journey from their place of duty to the place of meeting/seminar and back.

[G.O.(P) 45/77/fin.,  
dt. 1-2-1977]

(xii) (i) A Government officer who has lost all male children or all female children after vasectomy/tubectomy operation performed earlier; may be granted special casual leave for undergoing recanalisation operation upto a period of 21 days or actual period of hospitalisation as certified by the

authorised medical attendant, whichever is less. Special casual leave shall also be granted for the minimum journey period required and spent for the to and fro journey for undergoing the operation.

- (ii) The grant of special casual leave shall be subject to the following conditions, namely:-
  - (a) the operation has been performed in a hospital or a medical college or an institution where facilities for recanalisation are available.
  - (b) the request for the grant of special casual leave shall be supported by a medical certificate from the doctor who performed the operation to the effect that hospitalisation of the officer for the period stipulated therein was essential for operation and post operational recovery.
- (iii) \*The period of absence in excess of the period of special casual leave as admissible under sub-clause (i) shall be treated as regular leave of the kind admissible under the leave rules applicable to the officer or ordinary casual leave as applied for by the officer.

\*[G.O.(P) 381/83/Fin.,  
dt. 8-7-1983]

*Note.* - Special casual leave granted under clauses (vii) to (xii) under the Family Welfare Programme may be suffixed as well as prefixed to regular leave or casual leave. However, special casual leave should not be allowed to be prefixed or suffixed both to regular leave and casual leave. The intervening holidays and/or Sundays may be prefixed/suffixed to regular leave, as the case may be.

- 2. In the cases coming under clauses (i) to (iii) above, when the absence from duty exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the officer may be granted for the entire period of absence such regular leave with leave salary as may be due to him and thereafter leave without allowances. In the cases coming under clause (iv) above the excess over one month of the period of absence should be treated as regular leave and debited to the leave account
- 3. (a) Special casual leave not exceeding 15 days in one calendar year may be granted to Government servants who take part in State Championship conducted by the respective State Associations within the State and for attending selection trials of State Teams for participating in National Championships.
- (b) Special Casual leave not exceeding 45 days in one calendar year may be granted to Government servants, who take part in National level championships conducted by All India Associations, for attending coaching camps of the State Teams in preparation of participation in National Championships and for attending selection trials of National Teams for participating in International Championships.
- (c) Special Casual leave not exceeding 90 days in one calendar year may be granted to Government servants for representing India in International Events and for attending coaching camps of National Teams in preparation of International Events.

[G.O.(P) 659/95/Fin.,  
dt. 10-10-1995]

- (d) Government officials who are office bearers in the National Federations or Associations in sports and games and who are members of the Kerala Sports Council may be granted special casual leave not exceeding 30 days for the days of the meeting and the minimum time required for the to and fro journeys.
- (e) The period of leave mentioned above shall be independent of one another and shall be exclusive of Public holidays that may intervene. The period of absence in excess of the days mentioned above in each case shall be treated as ordinary leave admissible under relevant leave rules applicable to the Government servants concerned. For this purpose, officers may, as a special case, be permitted to combine special casual leave with ordinary leave. Special casual leave shall not, however, be granted in combination with casual leave.
- (f) Special casual leave shall be granted only on production of participation certificates issued by the respective Associations and it shall be limited to the actual period of participation, including the shortest transit period, subject to the limits specified above.
- (g) Government servants whose services are utilised in connection with coaching or administration of the teams participating in the Championships/Events mentioned above, may also be treated as members of the team for the purpose of grant of special casual leave.

*Note:-* The terms 'State Association', 'State Championship', 'All India Association', 'National Level Championship' and 'International Meet/Event' are defined as follows:-

- (i) *State Association:-* A duly constituted body, at the State level in respect of a particular discipline of sports/games, having district level units as members. It shall have the recognition of the Kerala Sports Council.
- (ii) *State Championship:-* Inter-district or inter-zone championships/meets of a particular game/sports conducted by the respective State associations at State level.
- (iii) *All India Association:-* A duly constituted national body of a particular discipline of sports/games, having state level units as members. It shall have the recognition of the Government of India.
- (iv) *National Level Championship:-* A Championship/meet conducted by the respective All India Associations at national level in which various state teams participate.
- (v) *International Meet/Event:-* Sports/games conducted at International level in which various nations take part. Participation of an Indian team with the approval of Government of India only shall be considered as a recognised event.

- 4. When an officer has to insure his life in the State Life Insurance (Official Branch) he will be given such leave of absence as may be necessary to enable him to appear before a Medical Officer and to procure the required certificate.
- 5. When volunteers who are Government servants, attend camps or

exercises or attend rifle meetings with the permission of the heads of their departments or offices, they will be considered to be on special casual leave during the period of their absence from duty.

#### **Government Decision**

The concessions allowed to 'volunteers' in regard to the grant of special casual leave for attending camps" exercises, rifle meetings, etc., may be extended to scouters, guiders and office bearers of the Bharath Scouts and Guides Association for attending camps, conferences, rallies, etc.

[G.O. (P) 53/65/Fin.,  
dt. 5-2-1965.]

Effective from 10<sup>th</sup> June 1964.

6. Special casual leave will be allowed to Government servants who have won certificates of merit in the Lok Sahayak Sena and who are required to participate in the Republic Day Parade in New Delhi for: (1) a period not exceeding 14 days required for their stay in New Delhi in connection with the participation in the Republic Day Parade plus (2) the minimum period required for the journey of the Government servants from headquarters to New Delhi and back.
7. Special casual leave may be allowed to Doctors and Veterinarians who are invitee members, official delegates or those who have been asked to read papers at an All Indian Conference of the Medical or Veterinary Association or the Indian Science Congress, as the case may be. The leave will be granted for attendance at the meeting and for journeys from head quarters to the place of the meeting and back.

The power of granting special casual leave under these orders will be exercised by Heads of Departments and regional and district officers in the case of officers under their administrative control. In the case of Heads of Departments partaking in sporting events special casual leave will be granted by Government.

8. Special casual leave may be granted to Government servants appearing at departmental promotion examinations which are neither obligatory nor entail a condition of preferment in Government service (e.g., practical test for selection of typists in service as Stenographers, selective test for selection of last grade employees as attenders etc.) to cover the actual duration of examination concerned plus the minimum period required for the to and fro journey. Such special casual leave will not, however, be granted for appearing for the open competitive examinations held by the Public Service Commission and cannot be combined with ordinary casual leave or regular leave.
9. An accused officer, not under suspension, may be granted special casual leave to cover the actual period for the onward and return journey for appearing before the Disciplinary Proceedings Tribunal and the days of attendance at the Tribunal.

*Note.* - This rule will apply mutatis mutandis to accused officers called upon to appear before a Disciplinary Authority/Enquiring Authority duly constituted.

10. When Government servants enlisted as Home Guards Volunteers are called out by the Commandants General/Commandants under

sections 5 (1) and 5 (2) of the Kerala Home Guards Act, 1960, for training or to discharge any of the duties or functions assigned to the Home Guards, they will be considered to be on special casual leave during the period of their training/duty in Home Guards plus the minimum period required for the journey from their headquarters to the place of training/duty and back.

A day's special casual leave will be allowed every year to Government servants who are Home Guards Volunteers for participation in the celebrations of Home Guards Day.

The detention certificate issued by the Commandant General/Commandants, Home Guards will be accepted as valid authority for the grant of special casual leave.

11. The period spent in transit by the civil Government servants who are called out for training in the Defence Reserves, from the date of their relief from the civil posts to the date on which they report themselves to the military authorities and vice versa will be treated as special casual leave.

The period of transit should be limited to actual journey time as laid down in Note 1 under Rule 125, Part I.

12. The period of absence (including the period spent in transit) of the members of the teaching staff of the Medical Colleges, College of Nursing and the Dental College, on account of their appointment as Inspectors by the Indian Medical Council, Indian Nursing Council or the Dental Council of India will be treated as special casual leave, provided they are not paid any remuneration for the inspection work.

\*Teaching staff of Medical Colleges who are invited by the Indian Medical Council, Indian Council of Medical Research, All Indian Institute of Medical Sciences, Dental Council of India and Indian Nursing Council as experts for attending board meetings and scientific meetings will be granted special casual leave for the days of meetings, including actual time taken for to and fro journeys, provided they are not receiving remuneration from the concerned Institution. The Principals of the Medical Colleges are authorised to grant special casual leave in such cases in respect of officers working under them.

\*This amendment shall be deemed to have come into force with effect from 8<sup>th</sup> June, 1981.

[G.O. (P) 215/82/Fin.,  
dt. 7-5-1982.]

†Auxiliary Nurse Midwives/Nurses who are members of the Indian Nursing Council will be granted special casual leave to attend the meetings of the Council for the days of the meetings including actual time taken for to and fro journeys provided they are not receiving remuneration from the Council. The District Medical Officers of Health are authorised to grant special casual leave in such cases in respect of officers working under them.

†This amendment shall be deemed to have come in to force with effect from 28<sup>th</sup> June 1984.

[G.O.(P) 954/86/Fin.,  
dt. 27-12-1986]

13. Ex-servicemen boarded out of service and re-employed in Government service in the State, if and when required to appear before the Reserve Medical Boards for the purpose of reassessing

[G.O.(P) 174/77/Fin.,  
dt. 4-6-1977]



their disability, will be granted special casual leave for a maximum period of 15 days including the time spent in transit both ways. Special casual leave under this rule may be granted on more than one occasion in a calendar year, if needed.

14. Government servants, who have won gallantry awards and who are required to participate in the Colour Presentation Ceremonies in connection with such awards will be granted special casual leave for the period of their stay at the place where the ceremony is conducted and the minimum period required for the journey from headquarters to such place and back, subject to the condition that the total period shall not exceed 10 days.

[G.O.(P) 304/71/Fin.,  
dt. 1-6-1971]

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1970.

#### **Government Decision**

The Rules in this section will apply to part-time teachers also with effect from 7<sup>th</sup> August 1971.

15. The teachers under the Department of Technical Education may be granted special causal leave upto a maximum of 10 days either prefixed or suffixed to the vacation, for attending short-time refresher courses/seminars, in case the period of the training falls outside the vacation period. For periods in excess of 10 days, regular leave will be granted. For this purpose the teachers may, as a special case, be permitted to combine special casual leave with regular leave.

[G.O.(P) 199/74/Fin.,  
dt. 13-9-1974]

The Principals of the Engineering Colleges, Polytechnics, Women's Polytechnics and the Institute of Printing Technology, Shornur are authorised to sanction special casual leave under this rule.

This amendment shall be deemed to have come into force with effect from 18<sup>th</sup> September 1973.

16. Disabled State Government employees, shall be eligible for special casual leave for a maximum period of 15 days at a time (including the time spent in transit both ways) to attend Artificial Limb Centre and stay in hospital for replacement/treatment of their artificial limbs. Special casual leave under this rule may be granted on more than one occasion in a calendar year, if needed.

[G.O.(P) 174/77/Fin.,  
dt. 4-6-1977]

- 16A. All physically handicapped employees eligible to claim conveyance allowance shall be eligible for special casual leave for a maximum period of 15 days in a calendar year for treatment of illness connected with the physical handicap of the employee concerned in hospital or at residence on production of medical certificate to that effect from the authorised Medical Officers attending on them.

G.O.(P) 800/85/Fin.,  
dt. 10-12-1985]

17. Teaching staff of Government Colleges accompanying students' teams for University Youth Festivals organised by the University Union and teaching staff of schools who accompany the students' teams for Youth Festivals, sports meets, coaching camps conducted at State level shall be granted special casual leave for the days of the events and the minimum period required for to and fro journeys subject to the condition that the total period of such special casual leave shall not exceed 15 days in a calendar year.

[G.O.(P) 218/78/Fin.,  
dt. 27-2-1978]

18. The staff guides, namely teachers in schools and junior lecturers and lecturers in colleges engaged in the Forest Club activities will be granted two days special casual leave in a calendar year for attending to seminars, etc. relating to those activities.

[G.O.(P) 51/89/Fin.  
dt. 30-1-1989]

Effective from 5<sup>th</sup> June 1985.

### SECTION III – COMPENSATION LEAVE

Subject to the following conditions, compensation leave at the rate of one day for each public holiday may be granted to a Government servant who attends office on public (authorised) holidays under the orders of the head of office in order to attend to urgent work arising from the absence of another Government servant or from circumstances beyond the control of the Government Servant:

- (i) Such leave should be taken by a Government servant only with the prior permission of the authority competent to grant him casual leave.
- (ii) The maximum period of such leave that can be taken by a Government servant in a calendar year will be \*\*fifteen days.

\*\*Effective from 1<sup>st</sup> June 1989.

[G.O.(P) 840/92/Fin.,  
dt. 4-11-1992]

- (iii) No Government servant will be permitted to take such leave after the expiry of \*three months from the public holiday (s) on which he attended office and in lieu of which the leave is granted.
- (iv) Such leave will not be accumulated for more than \*10 days but such leave may be combined with casual leave or other authorised holidays provided that the total period of absence from duty shall not exceed ten days.

\*Effective from 7<sup>th</sup> May 1973.

[G.O.(P) 548/77/Fin.,  
dt. 23-12-1977]

- (v) Such leave may not be combined with regular leave such as earned leave, half pay leave, etc.
- (vi) A Government servant touring on public (authorised) holiday(s) in connection with performance of his duties is not eligible for such leave in lieu of the holiday(s) on which he was on tour.
- (vii) Such leave shall not be admissible to heads of offices.

Effective from 3<sup>rd</sup> July 1970.

Note. - The benefit of compensatory off for turn duty on Sundays and other closed holidays will be allowed to the security staff, only without detriment to the normal security duties.

[G.O.(P) 395/74/Fin.,  
dt. 29-11-1974]

## APPENDIX VIII

**RULES FOR THE GRANT OF LEAVE TO OFFICERS  
APPOINTED FOR LIMITED PERIODS**

(Referred to in Appendix I and Note I below Rule 63 of Part I)

1. Where the appointment is for one year or less, earned leave on full pay calculated at 1/11<sup>th</sup> of the period spent on duty may be granted subject to a maximum of 15 days on production of medical certificate. If earned leave has been exhausted, leave on medical certificate, on \*half pay upto 15 days may be granted subject to the condition that the total period of the two kinds of leave does not exceed one month in the officer's term of service.

If the officer serves in a vacation department, earned leave will not be admissible; but he may be granted, if absolutely necessary leave on medical certificate on \*half pay not exceeding 1/11<sup>th</sup> of the time spent on duty, subject to a maximum of 15 days during the officer's term of service.

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

[G.O.(P) 491/75/Fin.,  
dt. 24-10-1975]

2. Where the appointment is for more than one year but not more than five years, earned leave will be admissible at 1/11<sup>th</sup> of the period spent on duty, subject to the limit of 15 days in a year. Such leave may be accumulated upto a maximum period of two months. Leave on medical certificate on \*half pay may also be granted in addition to earned leave subject to a maximum of two months in all during the period of service. In addition, leave without allowances may be granted in special circumstances, when no other leave is admissible, subject to a total maximum limit of three months.

If the officer serves in a vacation department earned leave will not be admissible.

*Note.* - Maternity leave under Rules 100 and 101 will be admissible to female officers appointed on contract basis continuing in service beyond one year provided they would continue in service but for proceeding on such leave.

\*This amendment shall be deemed to have come into force with effect from 26<sup>th</sup> August 1971.

[G.O.(P) 825/80/Fin.,  
dt. 31-10-1980]

3. Where the appointment is for a longer period than five years, but not for an indefinite period, or an original appointment for five years or less is extended so as to make the total period of appointment longer than five years but not for an indefinite period, leave admissible to a permanent officer under the ordinary rules, may be allowed subject to the condition that leave on medical certificate on \*half pay will be limited to six months in all. In the case of extension of the original term of appointment to more than five years, the officer will be credited with the earned leave that would have been admissible had the appointment been initially one of more than 5 years diminished by the earned leave already taken and leave on medical certificate on \*half pay, if any, already taken, will count against the six months limit prescribed.

4. In the case of an officer falling under Rules 2 and 3 above, earned leave due may be granted after the expiry of the period of appointment, only if the leave has been applied for during the period of appointment and refused owing to the exigencies of the public service. An officer whose services are dispensed with on grounds of ill-health may be permitted to take all the earned leave due to him before his service is terminated.
5. The terms "earned leave" and "leave on medical certificate on half pay" used in these rules have the same meanings as they have in the other rules of the Kerala Service Rules and the leave salary during leave taken under these rules shall be regulated under Rules 92 and 93 of Part I, Kerala Service Rules \*.

\*This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1973.

[G.O.(P) 491/75/Fin.,  
dt. 24-10-1975]

6. An officer initially engaged for a limited period becomes subject to the ordinary leave rules in their entirety, on his being taken into permanent employment. In such a case, the officer will be credited with all the leave that would have been admissible, had his appointment been one for an indefinite period from the start diminished by the leave already taken. Leave on medical certificate, if any, already taken will count against the maximum limit prescribed.
7. In the case of an officer who has been appointed for a limited period to a temporary post or to a permanent post in an officiating capacity, leave will be granted only on the further condition that his leave vacancy is not filled up and that the leave or any portion thereof will not go beyond the sanctioned period of his service.

*Note.* - The above rules will not apply to officers who were appointed before the coming into effect of these rules or to officers in whose case the terms of their appointment specifically provide for the grant of leave otherwise than in accordance with these rules.

**Government Decision No. 1**

Rules in Appendix VIII will apply to provisional recruits in the matter of leave.

[G.O.(P) 103/61/Fin.,  
dt. 4-3-1961]

**Government Decision No. 2**

The leave earned by provisional recruits during provisional service diminished by the leave, if any, already taken will be carried forward on regularisation of their provisional appointment without any interruption.

[G.O.(P) 388/70/Fin.  
dt. 3-6-1970]

The provisional recruits will be eligible for the leave admissible to regular employees only from the date of regularisation of appointment.

[G.O.(P) 322/93/Fin.,  
dt. 12-5-1993]

**Government Decision No. 3**

An officer on contract appointment will be credited with the leave earned by him in his previous contract appointment (s) diminished by the leave, if any, already taken even if the appointments are not in the same post provided there is no break between the appointments.

[G.O. (P) 499/71/Fin.,  
dt. 23-8-1971]

**Government Decision No. 4**

Officers appointed on a fixed monthly honorarium against regular sanctioned post will be governed by the leave rules in this Appendix. The benefit of surrender of earned leave will be allowed to them as in the case of provisional employees.

[G.O. (P) 55/74/Fin.,  
dt. 7-3-1974]

## APPENDIX IX

## LIST OF HILLY TRACTS

(Referred to in Note 1 to Rule 44 of Part II)

**A. Class I Tracts**

1. \*Of the area detailed below the tracts falling within the taluks of Devicolam, Udumbanchola, Peermade, Pathanamthitta, Pathanapuram, Nedumangad and Neyyattinkara will form Class I tracts :-

[G.O.(P) 59/75/Fin.,  
dt. 13-2-1975]

The portion lying to the east of a due north and south line from the northeastern most boundary of the Kunnathunad Taluk upto Thattakkad and thence passing eastwards along southern bank of the Periyar river upto the junction of its northern tributary, the Muthirapuzhai or Munnar river thence southwards along the western bank of the Periyar river, and its tributary, the Cheruthoniyar and the Endayar upto Mundakkayam bridge on the Kottayam – Kumili road, thence southwards straight on the junction of the Aruthayar and the Pamabayar and thence to the junction of the Palathada Aur and Kokkad Aur, thence due south to the Achenkoil river crossing the Kallar and thence to Ramakal along the southern bank of the Achenkoil river.

\*The portion lying to the south of a line starting from Channar ghat peak and passing along the northern bank of the Shendurni river upto the junction of the Quilon-Shencottah road and Trvandum-Schencottah road, thence passing southward along the eastern side of the Trivandrum-Shencottah road upto Palode, thence along the eastern side of the road from Palode, to Arianad via Vidura till it meets the Nedumangad- Shorlacode road and thence passing southwards along the Nedumangadu-Shorlacode road till it meets the State Boundary.

\*This amendment shall be deemed to have come into force with effect from 22<sup>nd</sup> February 1973

G.O.(P) 366/75/Fin.,  
dt. 11-8-1975]

2. *Chalaky Division.*—Starting from 19<sup>th</sup> mile in Tramline at Cherumkayam the line proceeds northwards to meet the division boundary and thence follows the division boundary upto the State boundary and thence along the Sekkalamudi, thence to Parambikulam, thence along the Parambikulam river upto Muduvarachal and thence westwards passing Kavali Anapandam and meet the starting station at Cherumkayam.

*Trichur Division (Nelliampathy Range).*—

*North.*—The boundary starts from the inter-district boundary of Trichur and Palghat at Vellamttimalai and proceeds more or less

northeast passing the northern side of Padagirimala and Palayampara Estate and reaches the district boundary at nearly one mile south of Govindamalai Estate; thence along the above inter-district boundary towards northeast for about one mile and reaches nearly half a mile northwest of Oottukuzhi Estate.

*East.*—Thence the boundary proceeds along the inter-district boundary of Palaghat and Trichur and reaches the junction point of Thekkadi and Vetti rivers.

*South.*—Thence more or less east along the inter-forest division boundary of Chalakudy and Trichur to the inter-district boundary of Trichur and Palghat at nearly one mile north of Anjanapara.

*West.*—Thence the boundary proceeds along the inter-district boundary of Palghat and Trichur and reaches the starting point.

*Palappilly Range.*—

*East.*—The boundary starts from Ponmudi at which the inter-range boundary between Palappilly and Paravattany meets the inter-district boundary of Trichur and Palaghat, and proceeds along the above inter-district boundary and reaches a point nearly one mile south of Kurumalamudi.

*South.*—Thence the boundary proceeds more or less southwest along the inter-forest division boundary between Trichur and Chalakudy for about 5½ miles to reach nearly two miles south of Kumali.

*West.*—Thence the boundary proceeds nearly west to reach the Chiminipuzha at nearly one mile west of Kallichitra, thence along the northern side of Chiminipuzha for about ¾ mile downstream; thence along the tributary of Chiminipuzha to reach the inter-taluk boundary between Mukundapuram and Trichur at nearly 1 ¾ miles west of Ponmudi.

*North.*—Thence along the above inter-taluk boundary till it reaches Ponmudi, the starting point.

3. Attappadi Valley and the Chenat Nair, \* and Silent Valley Reserved Forest.

4. Sungam Range of Nemmara Forest Division.

5. \*[Omitted]

\*Effective from 9<sup>th</sup> March 1981.

\*[G.O.(P) 159/81/Fin.,  
dt. 9-3-1981]

6. *Idukki District.*—The area comprising the whole of Idukki Village and the portions of Velliamatom and Arakulam Villages in Thodupuzha Taluk having the boundaries specified below :

[G.O.(P) 159/81/Fin.,  
dt. 9-3-1981]

*North.*—Boundaries of Kotahmangalam and Devicolam Taluks.

*East.*—Boundaries of Udumbanchola Taluk.

*South.*—Boundaries of Peerumedu Taluk.

*West.*—The line across Arakulam Village, starting from the tri-junction of Passupara Village in Peerumedu Taluk and Arakulam and Idukki Village of Thodupuzha Taluk and ending at first Zig point

on Thodupuzha-Idukki Road and the line thence across Velliamattom village to the tri-junction of Idukki, Velliamattom and Udumbannoor Village of Thodupuzha Taluk from where the western boundary of Idukki Village goes north-wards to meet the Taluk boundary of Kothamangalam.

The item 6 shall be deemed to have come into force with effect from 9<sup>th</sup> December 1970.

### B. Class II Tracts

1. The portions of the area other than those falling within the taluks of Devicolam, Peermade, Udumbanchola and Pathanmathitta detailed at A1 above, will form Class II tracts.
2. *Chalakudy Division*.—Starting from Cherumkayam the boundary proceeds upto Kothamuzhi, thence along the Kannamkuzhi thodu upto Chalakudi river, thence along the river the boundary proceeds up to Echipara, thence to Vellikulangara passing Konnakuzhi, Peeliarmuzhi, Kormala and Veeranchira, thence the boundary proceeds nearly northwards to cross the Vaikathu stream and meet the division boundary and along the said boundary of Class I tracts and closes on the starting station.

#### *Nelliampathy Range*.—

*\*West*.—The boundary starts from the inter-district boundary of Palghat and Trichur at Vellattimalai and proceeds northwest to reach the village boundary of Thiruvazhiyad and Kairady Village tri-junction.

[G.O.(P) 159/81/Fin.,  
dt. 9-3-1981]

*North*.—Thence along the boundary of Thiruvazhiyad and Nemmara touching the main road, thence the boundary proceeds along the road to Shernally Rubber Estates to the 11<sup>th</sup> mile.

*\*East*.—Thence along the above road for about 4 Kilometres to reach the northern boundary of Class I area at Pulayampara described in the Nelliampathy Range under the heading "A. Class I Tracts".

[G.O.(P) 605/81/Fin.,  
dt. 17-9-1981]

*South*.—Thence the boundary proceeds along the northern boundary of Class I area in Nelliampathy Range and reaches the starting point.

#### *Palappilly Range*.—

*North*.—The boundary proceeds from the inter-range boundary between Palappilly and Paravattany at nearly half a mile west of Mangattukumban and proceeds east to reach where the northern boundary of Class I area described in 'A' above starts.

*East*.—Thence along the western boundary of Class I area in Palappilly Range described in 'A' above to reach the inter-forest division boundary of Trichur and Chalakudy.

*South*.—Thence along the above inter-division boundary to reach Muplypuzha near fourteenth mile of Cochin State Forest Tramway.

*West*.—Thence along Muplypuzha downstream for about 5 miles and along Chiminipuzha for about 3½ miles upstream to reach

neraly 1½ miles east of Anaipadam, and thence to meet the inter-range boundary at the starting point.

*Paravattany Range.—*

*North.—*The boundary starts from the inter-taluk boundary of Talappilly and Trichur at 2 ¼ miles east south-east to Melaka and proceeds along the above inter-taluk boundary to reach the inter-district boundary of Palghat and Trichur.

*East.—*Thence along the above inter-district boundary the boundary proceeds to Ponmudi where the inter-taluk boundary between Mukundapuram and Trichur meets the inter-district boundary.

*South.—*Thence the boundary proceeds along the northern boundary of Class I and Class II areas described above in Palappilly Range.

*West.—*Thence the boundary proceeds northwest to reach ¾ mile north to Vengapara, thence to northwest to reach Peechi Dam, thence proceeds along the Peechi Right Bank Canal to reach the crossing point at Trichur-Vaniampara road and thence proceeds northwest to meet the inter-taluk boundary at the starting point.

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> day of September 1975.

[G.O.(P) 143/80/Fin.,  
dt. 19-2-1980]

*Machad Range.—*

*West.—*The boundary starts from the crossing point of Trichur-Ambalappadu road at the inter-range boundary of Machad Range and Paravattany Range and proceeds along the sixth mile. Thence more or less northeast to reach Wadakkancherry-Vazhani road near Vazhani.

*North.—*Thence along the above road and succeeding cart-track for about one mile; thence crossing Vazhani lake and along the thodu starting from nearby place of Munipara and falls in Vazhani lake; reaches the inter-range boundary at nearly half a mile west of Munipara.

*East.—*Thence the boundary proceeds southwest for about 1¾ miles along the inter-range boundary of Machad Range and Paravattany Range.

*South.—*Thence the boundary proceeds along the above inter-range boundary and reaches the starting point.

3. The Wayanad Taluk and the Vaithiri Ghat section.

## APPENDIX XII

### RULES FOR THE GRANT OF LEAVE TO RADIATION

#### **WORKERS IN THE STATE MEDICAL SERVICE**

(Referred to in Rule 110 A of Part I)

Rules for the grant of leave to Radiation Workers in the State Medical Service.



1. For the purpose of these rules:
  - (i) "Radiation worker" means a worker liable to exposure to ionising radiation in the course of his official work which shall include a person working inside the X-ray and Radium Departments like Radiologist, Radiographer, Technician and Nursing staff of Radiology Department but does not include stretcher bearers, attenders, etc., of the Radiology Department who are not exposed to radiation while a patient is being X-rayed or treated.
  - (ii) "A year" means a year of duty.
2. Every radiation worker shall be granted thirty days special casual leave in one spell, every year to recoup his health even when his health is apparently good.
 

This amendment shall be deemed to have come into force with effect from 1<sup>st</sup> April 1995.
3. These rules shall apply to all radiation workers (permanent or temporary employees) in the State Medical Service but not to purely provisional hands.
 

The above Rule shall be deemed to have come into force with effect from 29<sup>th</sup> March 1965.

[G.O.(P) 992/97/Fin.,  
dt. 5-11-1997]

## APPENDIX XII A

RULES FOR THE GRANT OF LEAVE WITHOUT  
ALLOWANCES FOR TAKING UP EMPLOYMENT  
ABROAD OR WITHIN INDIA

(Referred to in Exception 2 to Rule 88 and Rule 110-B of Part I)

\*The following rules shall regulate the grant of leave without allowances to officers for taking up employment abroad or within India. These rules shall not apply in cases of employment in the service of any public sector undertaking, aided schools and private colleges or any body incorporated or not, which is wholly or substantially owned, controlled or aided by any State Government or the Government of India.

1. Government will be very selective in granting leave without allowances to employees belonging to professional categories like highly qualified doctors, engineers, scientists etc., for taking up employment abroad or within India. In scarce categories like Veterinary Surgeons, Livestock Assistants and any other category

where there is shortage of personnel, officers will not be allowed to take up such employment unless they resign their jobs under Government before hand.

2. No officer going for employment under these rules will be treated as on deputation. An officer taking up employment abroad or within India on his own accord will have to go on leave without allowances to avail himself of the facility.

3. No other kind of leave will be sanctioned in combination with or in continuation of the leave under these rules, \*\*except leave under Appendix XII C. \*\*[G.O. (P)1002/97/Fin.,  
dt. 6-11-1997]
4. Permanent officers and non-permanent officers who have completed probation in their entry cadre in the regular service of Government may be granted leave without allowances under these rules. In such cases, for and during the currency of, the period of leave, the officers shall lose all service benefits such as the earning of leave including half pay leave, pension, gratuity, increment, etc., and also promotion chances as may arise with reference to their seniority in the posts from which they proceeded on leave. They shall also lose seniority in the higher grade/grades with reference to their juniors who might get promoted to such grade/grades before they rejoin duty.
5. In the case of non-permanent officers in regular service who have not completed probation in the entry grade, leave without allowances may be granted subject to the condition that they will have to start afresh and complete their probation on return from the leave without allowances. In other words, the officers will forfeit the service benefits that had accrued to them prior to their proceeding on leave and they will be deemed as new entrants to Government service on return from leave. What is protected is only their right to rejoin Government service in the same entry grade as if they were new entrants.
6. The maximum period of leave that may be sanctioned to officers under these rules, including the leave sanctioned under Appendix XII C, if any, during their entire service shall be limited to fifteen years. If the officer who has availed himself of the leave without allowances for a total period of 15 years, whether continuously or in broken periods does not return to duty immediately on the expiry of the leave, his service shall be terminated after following the procedure laid down in Kerala Civil Services (Classification, Control and Appeal) Rules, 1960. This condition shall be incorporated in every order sanctioning such leave. [G.O.(P) 1002/97/Fin.,  
dt. 6-11-1997]
- This amendment shall be deemed to have come into force with effect from 27<sup>th</sup> December 1986 [G.O.(P) 20/93/Fin.,  
dt. 5-1-1993]
7. Those who are under bonded obligation to serve Government for a prescribed period will not be granted leave under these rules till the period covered by the bond is over, unless they settle the bonded obligations before the grant of leave. The amount remitted on that account will not be refunded under any circumstances. Similarly, officers against whom disciplinary action or vigilance enquiry is pending will not be eligible for leave under these rules.
8. Those who had availed themselves of any loan such as house building advance, conveyance advance etc., shall either clear the dues or execute a bond as required under G.O.(P) 1028/79/Fin., dated 23<sup>rd</sup> November 1979 in the form appended thereto, before the grant of leave.

APPENDIX XII B]                    RULES FOR THE GRANT OF LEAVE WITHOUT ALLOWANCES FOR  
THOSE IN ELIGIBLE FOR LEAVE FOR STUDY PURPOSE UNDER RULE 88 OR RULE 91  
PART I, KERALA SERVICE RULES

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9. Those officers who absent themselves unauthorisedly without getting the leave sanctioned under these rules shall be proceeded against and their service terminated after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules 1960. Requests for re-entertainment in Government Service in such cases as well as in cases covered by Rule 6 above, will be summarily rejected.
10. These rules shall apply to all cases of grant of leave without allowances on or after the 16<sup>th</sup> December, 1983 whether in extension of the leave already granted or otherwise and such leave granted before that date shall be reckoned for applying the 15 years limit under Rules 6 above.
11. No relaxation of any of the above rules will be allowed.

\*This amendment shall be deemed to have come into force with effect from 16<sup>th</sup> December 1983.

[G.O.(P) 953/86/Fin.,  
dt. 27-12-1986]

†*Note.* -Notwithstanding anything contained in these Rules those who have proceeded on leave for taking up employment abroad \*or within the country before the commencement of these Rules, after obtaining permission of Government will continue to be governed by the conditions laid down in G.O.(P) 274/70/Fin., dated 29-4-1970 for the leave granted to them even if it extends beyond 16-12-1983.

\* [G.O.(P) 150/96/Fin.,  
dt. 30-1-1996]

†Effective from 16<sup>th</sup> December 1983.

†[G.O.(P)1078/92/Fin.,  
dt. 16-12-1992]

APPENDIX XII B  
RULES FOR THE GRANT OF LEAVE WITHOUT  
ALLOWANCES FOR THOSE INELIGIBLE FOR  
LEAVE FOR STUDY PURPOSE UNDER RULE 88 OR  
RULE 91, PART I, KERALA SERVICE RULES

(Referred to in Exception No. 2 to Rule 88 and in Rule 110 – C  
under Section XI-C of Chapter IX, Part I.)

\*The following Rules shall regulate the grant of leave for study purpose in the case of Officers who are not eligible for leave for more than three months under Rule 88 due to the condition of 3 years of continuous service or under Rule 91 due to the condition in Note 2 thereunder. In such cases Leave Without Allowances will be granted for the purpose of study to cover the entire period of the course concerned subject to the following conditions :-

- (i) In the case of officers who have completed probation in the entry grade, during the currency of the period of leave, they shall lose all service benefits such as earning of all kinds of Leave, Pension, Gratuity, Increment etc., and also promotion benefits which may arise with reference to their seniority in the

posts from which they proceeded on leave. They shall also lose seniority in the higher grade/grades with reference to their juniors who might get promoted to such grade/grades before they rejoin duty;

- (ii) In the case of those who have not completed probation in the entry grade, they shall, besides losing all the service benefits during the currency of the period of leave, forfeit the service benefits that had accrued to them prior to their proceeding on leave. They shall be deemed as new entrants to Government Service on return from leave. They shall have to start afresh and complete their probation on return from leave. Only their right to rejoin Government Service in the same entry grade is protected as if they were new entrants;
- (iii) Those who are under bonded obligation to serve Government for a prescribed period will not be granted leave under these rules till the period covered by the bond is over, unless they settle the bonded obligation before the grant of leave. The amount remitted on that account will not be refunded under any circumstances. Officers against whom disciplinary action or vigilance enquiry is pending will not be eligible for leave under these Rules;
- (iv) The maximum period of leave that can be granted will be five years during the entire period of service;
- (v) The leave will not be allowed to be combined with any other kind of leave or vacation;
- (vi) In the case of officers who do not rejoin duty on the expiry of leave, they shall be removed from service after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

\*This amendment shall be deemed to have come into force with effect from 18<sup>th</sup> September 1984.

\*[G.O.(P) 654/95/Fin.,  
dt. 10-10-1995]

#### APPENDIX XII C

### RULES FOR THE GRANT OF LEAVE WITHOUT ALLOWANCES FOR JOINING SPOUSE

(Referred to in Exception 2 to Rule 88 and in Rule 110-D, Part I)

\*The following rules shall regulate the grant of leave without allowances for the purpose of joining spouse.

1. Only leave without allowances shall be granted for the purpose.

*Note.* - Officers, who seek leave for short periods, not exceeding three months for the purpose of joining spouse, may be granted ordinary leave subject to eligibility. However, when officers who avail of such leave upto three months, seek extension in continuation of the leave for the same purpose, the ordinary leave already granted shall be retrospectively commuted into leave without allowances under these rules.

2. Officers shall not accept any employment during the currency of the period of leave, without prior sanction of the Government.

3. No other kind of leave except leave under Appendix XIA shall be granted in combination with or in continuation of the leave under these rules.
4. Permanent officers and non-permanent officers who have completed probation in their entry cadre in the regular service of the Government may be granted leave without allowances under these rules. In such cases, for, and during the currency of the period of leave, the officers shall lose all service benefits including earning of leave, increment, gratuity, pension etc., and also promotion chances as may arise with reference to their seniority in the posts from which they proceed on leave. They shall also lose seniority in the higher grade (s) with reference to their juniors who might get promoted to such grade (s) before they rejoin duty.
5. In the case of non-permanent officers in regular service who have not completed probation in their entry cadre, leave under these rules may be granted subject to the condition that they shall have to start afresh and complete their probation on re-joining duty. The service benefits that had accrued to them before proceeding on leave shall be forfeited and on rejoining duty they shall be deemed as new entrants in the Government service.
6. The maximum period of leave that may be sanctioned to officers under these rules, including the leave sanctioned under Appendix XIA, if any, during their entire service shall be limited to fifteen years. If the officers who have availed of the leave without allowances for a total period of fifteen years, whether continuously or in broken periods, do not return to duty immediately on the expiry of the leave, their service shall be terminated after following the procedure laid down in Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.
7. Those who are under bonded obligation to serve the Government for a prescribed period, shall not be granted leave under these rules till the period covered by the bond is over or till the bonded obligation is settled.
8. Those who have any outstanding liability to the Government, such as House Building Advance, Conveyance Advance etc., shall not be granted leave under these rules unless they clear the outstanding liability in toto or execute a bond as prescribed by the Government.
9. Officers against whom disciplinary action or vigilance enquiry is pending shall not be eligible for leave under these rules.
10. Those officers who absent themselves unauthorisedly without getting the leave sanctioned under these rules shall be proceeded against and their service shall be terminated after following the procedure laid down in the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960.

\*This amendment shall be deemed to have come into force with effect from 12<sup>th</sup> April 1984

[G.O.(P) 1002/97/Fin.,  
dt. 6-11-1997]

**LIST OF FORMS**

1. Please see the Kerala Service Rules, Part III
2. Do
3. Do
4. Do
5. Do
6. Do
7. Leave Account (Rule 112-Part I)
8. Please see the Kerala Service Rules, Part III
- 8-A Do
9. Deleted
10. Deleted
11. Please see the Kerala Service Rules, Part III
12. Bond for officiating or temporary Government servants granted leave (Rule 91—Part I)
13. Application for leave (Rule 113—Part I)
14. Overtime Register (Rule 7—Appendix IV A)

**FORM No. 7**  
LEAVE ACCOUNT  
(Rule 112 of Part I)

**Part I**  
Earned Leave

Duty		Period in days	Leave earned 1/22 or 1/11	Leave at credit (Columns 3 + 7)	Leave taken		Period (days)	Balance on return from leave (Columns 4 - 6)	Remarks
From	To				From	To			
1		2	3	4	5		6	7	8

**Part II**  
Leave on half pay

Duty		Leave earned	Leave at credit	Leave taken							Total (Columns 6+9)	Balance (column 4-10)	Period of leave not due taken	Final Balance
Dates		20 days for every completed year	Columns 3+13	Half pay leave	Commuted leave		Period in terms of leave on half pays	Period in days	Period in terms of leave on half pays	Total (Columns 6+9)				
From	To				No. of completed years	Days					Days	Dates		Period in days
		From	To	From			To	Period in days						
1	2	3	4	5	6	7	8	9	10	11	12	13		

FORM No. 12

**BOND FOR OFFICIATING OR TEMPORARY GOVERNMENT  
SERVANTS GRANTED LEAVE  
UNDER RULE 91, PART I, K.S.R. FOR HIGHER STUDIES**

KNOW ALL MEN BY THESE PRESENTS that we Shri..... (H.E. name and address) at present employed at ..... in the office of ..... (hereinafter called "the Bounden") and Shri..... (H.E. name and address) and Shri. .... (H.E. name and address) ..... (hereinafter called "the sureties") do hereby bind ourselves, and each of us, our heirs, executors, administrators and assigns jointly and severally to pay to the Governor of Kerala (hereinafter called "the Government") on demand the sum of Rs. 1,000 (Rupees one thousand only) together with interest at ..... per cent per annum or if the payment is made in a country other than India, the equivalent of the said amount in the currency of that country converted at the official rate of exchange between that country and India and with cost, if any, thereon.

Signed on this the ..... day of ..... one thousand nine hundred and .....

Signed by Shri. ....

**(The Bounden)**

In the presence of witnesses:

- (1)
- (2)

Signed by Shri .....

Signed by Shri .....

(The Sureties)

In the presence of witnesses:

- (1)
- (2)

WHEREAS the Government have granted to the Bounden regular leave, followed by leave without allowances, for a period ..... months ..... days with effect from ..... in order to enable the Bounden to study at ..... on condition that on the expiry of the leave, the Bounden shall serve the Government in such capacity as the Government may require in the..... Department of the Government or in any other Department of the Government as the Government may



BOND FOR OFFICIATING OR TEMPORARY GOVERNMENT  
SERVANTS GRANTED LEAVE UNDER RULE 91, PART I,  
K.S.R FOR HIGHER STUDIES

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require, for a period of five years and also subject to the terms and conditions hereinafter appearing and the Bounden and the sureties have agreed to the same;

Now the condition of the above written obligation is that in the even of the Bounden failing to serve in such capacity as the Government may direct for a minimum period of five years if so required by the Government , the Bounden and the sureties shall forthwith pay to the Government the said sum of Rs. 1,000 together with interest at ..... percent per annum and costs and upon payment of such sums the above written obligation shall be void and of no effect, otherwise this shall be and remain in full force and effect;

Provided further that the Bounden and the sureties hereby agree that all sums found due to Government under or by virtue of this bond shall be recoverable jointly and severally from the Bounden and the sureties 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.

The liability of the sureties under this bond is co-extensive with that of the Bounden and shall not be affected by the Government giving time or any other indulgence to the Bounden.

The stamp duty on this bond shall be borne and paid by the Government.

Signed by Shri .....

(The Bounden)

In the presence of witnesses:

(1)

(2)

Signed by Shri.....

Signed by Shri .....

(The Sureties)

In the presence of witnesses:

(1)

(2)

**FORM NO. 13**

APPLICATION FOR LEAVE

(Rule 113, Part I)

Note. - Items 1 to 13 must be filled in by all applicant whether gazetted or non-gazetted.

- 1. Name of applicant
- 2. Date of birth

3. Post held
4. Department, Office and Section
5. Pay and scale of pay
6. Date of entry in to service
7. Date of commencement of continuous service
8. Address during leave
9. House Rent Allowance, Conveyance Allowance or other compensatory allowance drawn in the present post
10. Nature and period of leave applied for and date from which required
11. Holidays, if any, proposed to be prefixed/suffixed
12. Purpose for which leave is applied for
13. Date of return from last leave and the nature and period of that leave

Place

*Signature of applicant*  
*(with date)*

Remarks or recommendation of the Controlling Officer.

*Signature (with date) and*  
*Designation*

Certificate regarding admissibility of leave

(By Accountant General in the case of Gazetted Officers)

"Certified that .....  
(nature of leave) for ..... From  
..... to ..... is admissible under rule  
..... of the Kerala Service Rules".

*Signature (with date)*  
*Designation*

\*Order of the Sanctioning Authority :

*Signature(with date)*  
*Designation*

\*If the applicant is drawing any compensatory allowance the sanctioning authority should state whether on the expiry of leave he is likely to return to the same post or to another post carrying a similar allowance.

[G.O. (P) 76/97/Fin.,  
dt. 3-11-1997]

**FORM No. 14**  
OVERTIME REGISTER

(See Rule 7, APPENDIX IV A)

Serial Number	Name and designation of the Government servant required to perform overtime work	Emoluments	Hours of overtime work authorised by the competent authority	Hours of overtime work performed by the Government servant	Nature of work performed during overtime hours
1	2	3	4	5	6

Why the work could not be performed during the prescribed hours of work	Amount of overtime allowance paid	Initials of the competent authority
7	8	9

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This index has been compiled solely for the purpose of assisting references.  
No expression used in it should be considered in any way as interpreting the rules.

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**NOTE OF POSTING OF CORRECTIONS**

Serial No. of correction	Rules affected	Date of posting	Serial No. of correction	Rules affected	Date of posting

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# **GOVERNMENT OF KERALA**

**FINANCE DEPARTMENT**

## **THE KERALA SERVICE RULES**

**VOLUME II**

**PART III**

**FIFTH EDITION 2006**

*Incorporating corrections up to 31<sup>st</sup> 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 31<sup>st</sup> 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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# 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 14<sup>th</sup> 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 14<sup>th</sup>  
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, 5<sup>th</sup> 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 27<sup>th</sup> 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 18<sup>th</sup> 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 24<sup>th</sup> April 1979]

[G.O.(P)281/88/Fin.,  
dated 25<sup>th</sup> 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 1<sup>st</sup> 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 7<sup>th</sup> June 1971 and 1<sup>st</sup> 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 1<sup>st</sup> April 1950 alone shall be counted for pension. In respect of those discharged after 1<sup>st</sup> April 1950 and appointed to civil posts under the Government the above rule shall apply only in the case of retirements on or after 5<sup>th</sup> June 1963. If in their cases the retirement was prior to 5<sup>th</sup> June 1963, State Force Service prior to 1<sup>st</sup> April 1950 alone shall be counted.

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

\$ [G.O.(P)310/71/Fin.,  
dated 7<sup>th</sup> June 1971 and  
G.O(P)625/71/Fin.,  
dated 19<sup>th</sup> 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 24<sup>th</sup> 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 1<sup>st</sup> January, 1948 shall be allowed to count their satisfactory whole – time service \*[Takes effect from 31<sup>st</sup> July 1979]. † [Whether pensionable or not] in His Majesty’s Forces rendered between the 3<sup>rd</sup> 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 1<sup>st</sup> 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 31<sup>st</sup> August 1981.]

† [G.O.(P) 587/69/Fin., dated 18<sup>th</sup> 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.....Rank .....Name  
.....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 1<sup>st</sup> January 1948 provided the other conditions relating to the grant of the concession are satisfied.

\* [G.O.(P)253/67/Fin.,  
dated 28<sup>th</sup> 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 1<sup>st</sup> January 1948 subject to the following conditions:-

†[G.O.(P) 244/80/Fin.  
Dated 16<sup>th</sup> 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 1<sup>st</sup> 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 19<sup>th</sup> June 1980]

This Government Decision will take effect from 1<sup>st</sup> 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 18<sup>th</sup>  
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 14<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 14<sup>th</sup> November 1966.

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

But in the case of those who retire on or after 14<sup>th</sup> 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 1<sup>st</sup> 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)548/69/Fin.,  
dated 27<sup>th</sup> September  
1969 and  
G.O.(P)99/70/Fin.,  
dated 4<sup>th</sup> 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 1<sup>st</sup> 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 29<sup>th</sup> 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 2<sup>nd</sup> 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 28<sup>th</sup> July 1970 vide G.O(P)176/76/R.D., dated 31<sup>st</sup> January 1976.]

[G.O.(P)308/76/Fin.,  
dated 29<sup>th</sup> 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 3<sup>rd</sup> 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 26<sup>th</sup> 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 1<sup>st</sup> 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 14<sup>th</sup> 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  
24<sup>th</sup> July 1969 and  
G.O.(P) 587/69/Fin.,  
dated 18<sup>th</sup> 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 1<sup>st</sup> April 1968.

\*[G.O.(P)399/72/Fin.,  
dated 29<sup>th</sup> 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 29<sup>th</sup> 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 28<sup>th</sup> July 1970 vide G.O.(P) 176/76/R.D., dated 31<sup>st</sup> January 1976.]

[G.O.(P)308/76/Fin.,  
dated 29<sup>th</sup> 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 18<sup>th</sup> 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 26<sup>th</sup> 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 23<sup>rd</sup> 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 1<sup>st</sup> 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 7<sup>th</sup> 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 2<sup>nd</sup> September 1957 only (irrespective of the date of absorption of such employees into regular establishment).

In cases of retirements on or after 1<sup>st</sup> 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 19<sup>th</sup> June 1972]

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

\*[G.O.(P) 525/67/Fin.,  
dated 5<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> November 1956 and allotted to Kerala as Government servants as 1<sup>st</sup> November 1956 will count for pension (G.O.(MS)349/69/H.D., dated 19<sup>th</sup> December 1969 and 149/70/H.D., dated 29<sup>th</sup> 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 1<sup>st</sup> 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 11<sup>th</sup> July 1962, G.O.(P) 780/70/Fin., dated 3<sup>rd</sup> November 1970 read with G.O.(P) 413/71/Fin., dated 15<sup>th</sup> July 1971 and G.O.(MS.) 110/70/RD.,dated 28<sup>th</sup> 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 1<sup>st</sup> March 1964 absorbed, into regular establishment will be counted for the purpose of pension. [G.O.(MS)241/66/PD., dated 10<sup>th</sup> June 1966 and G.O.(P) 780/70/Fin., dated 3<sup>rd</sup> November 1970.]

In the case of retirement falling on or after 1<sup>st</sup> 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 24<sup>th</sup> January 1968-Vide G.O.(P) 39/68/Fin., dated 24<sup>th</sup> January 1968 read with G.O.(P)605/72/Fin., dated 25<sup>th</sup> 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 24<sup>th</sup> January 1968-G.O.(Rt.)1014/84/G.Edn., dated 29<sup>th</sup> March 1974.] [G.O.(P)235/75/Fin., dated 12<sup>th</sup> June 1975.]

#Note-2- The benefit of the above rule shall be admissible to all the teachers who retired on or before the 24<sup>th</sup> day of January 1968 and were alive on the 7<sup>th</sup> day of January 1983. [G.O.(P)No.263/85/Fin. Dated 9/5/1985] (w.e.f 7<sup>th</sup> 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 14<sup>th</sup> November 1966.

[G.O.(P)71/76/Fin.,  
dated 2<sup>nd</sup> 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 17<sup>th</sup> 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 22<sup>nd</sup> August  
1985.  
w.e.f 17<sup>th</sup> 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  
28<sup>th</sup> 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 28<sup>th</sup>  
November 1964 and  
G.O.(MS)No.581/69/R  
D., dated 1<sup>st</sup> 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 24<sup>th</sup> January, 1968 vide G.O.(P) 39/68/Fin., dated 24<sup>th</sup> January, 1968. Arrears shall be paid from 1<sup>st</sup> April 1970 only].

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

- 14-G In the case of copyists who retired from service on or after 10<sup>th</sup> 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 10<sup>th</sup> July 1947. [G.O.(MS)No.609/60/Fin., dated 14<sup>th</sup> 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 12<sup>th</sup> 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 1<sup>st</sup> 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 15<sup>th</sup> 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 2<sup>nd</sup> July 1976.]

This decision will take effect from 1<sup>st</sup> 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 1<sup>st</sup> Chingam 1126/ 17<sup>th</sup> August 1950 and in the Municipality of the Travancore area on 1<sup>st</sup> 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 1<sup>st</sup> November 1956 vide G.O.(P) 125/70/Fin., dated 20<sup>th</sup> 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 22<sup>nd</sup> 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 27<sup>th</sup> September 1974.

[G.O.(P)145/77/Fin.,  
dated 16<sup>th</sup> 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 27<sup>th</sup> June 1974.

[G.O.(P)32/77/Fin.,  
dated 22<sup>nd</sup> 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 3<sup>rd</sup> 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 10<sup>th</sup> 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 22<sup>nd</sup> 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 20<sup>th</sup> 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  
10<sup>th</sup> 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 a .....in the .....department. His age is by his own statement .....Years and by appearance about .....years. 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 for ....months , 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 26<sup>th</sup>  
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 29<sup>th</sup> 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. [G.O.(P)31/83/Fin.  
Dated 12-1-83.
- (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.

- (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  
2<sup>nd</sup> 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 20<sup>th</sup> 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 12<sup>th</sup> 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. 14<sup>th</sup> 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 1<sup>st</sup> April 1973 – vide G.O.(P) 114 /73/ Fin., dated 10<sup>th</sup> 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 15<sup>th</sup> 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 22<sup>nd</sup> 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 <sup>th</sup> of average emoluments	2400
11	11/80 <sup>th</sup> of average emoluments	2640
12	12/80 <sup>th</sup> of average emoluments	2880
13	13/80 <sup>th</sup> of average emoluments	3120
14	14/80 <sup>th</sup> of average emoluments	3360

15	15/80 <sup>th</sup> of average emoluments	3600
16	16/80 <sup>th</sup> of average emoluments	3840
17	17/80 <sup>th</sup> of average emoluments	4080
18	18/80 <sup>th</sup> of average emoluments	4320
19	19/80 <sup>th</sup> of average emoluments	4560
20	20/80 <sup>th</sup> of average emoluments	4800
21	21/80 <sup>th</sup> of average emoluments	5040
22	22/80 <sup>th</sup> of average emoluments	5280
23	23/80 <sup>th</sup> of average emoluments	5520
24	24/80 <sup>th</sup> of average emoluments	5760
25	25/80 <sup>th</sup> of average emoluments	6000
26	26/80 <sup>th</sup> of average emoluments	6240
27	27/80 <sup>th</sup> of average emoluments	6480
28	28/80 <sup>th</sup> of average emoluments	6720
29	29/80 <sup>th</sup> of average emoluments	6960
30	30/80 <sup>th</sup> 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
<b>(A) Gratuity</b>	

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>(B) Pension</b>	
10	10/80 <sup>th</sup> of average emoluments
11	11/80 <sup>th</sup> of average emoluments
12	12/80 <sup>th</sup> of average emoluments
13	13/80 <sup>th</sup> of average emoluments
14	14/80 <sup>th</sup> of average emoluments
15	16/80 <sup>th</sup> of average emoluments
16	17/80 <sup>th</sup> of average emoluments
17	18/80 <sup>th</sup> of average emoluments
18	19/80 <sup>th</sup> of average emoluments
19	20/80 <sup>th</sup> of average emoluments
20	22/80 <sup>th</sup> of average emoluments
21	24/80 <sup>th</sup> of average emoluments
22	26/80 <sup>th</sup> of average emoluments
23	28/80 <sup>th</sup> of average emoluments
24	30/80 <sup>th</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> 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 I .....son of  
..... occupation .....resident  
of .....and .....son of  
.....occupation.....Resident  
of .....etc., do hereby appoint  
Shri./Smt.....son / daughter of  
.....occupation.....Reside  
nt of .....my/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 I .....have signed the power of attorney on .....in the presence of witness hereinafter mentioned.

[Circulars  
No.2/70/Fin., dated  
9<sup>th</sup> January 1970 and  
No.126/70/Fin., dated  
5<sup>th</sup> 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 29<sup>th</sup> August  
1967]  
@[G.O.(P)  
343/72/Fin., dated 7<sup>th</sup>  
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 22<sup>nd</sup> December 1964]

G.O(P) 216/67/Fin.,  
 dated 7<sup>th</sup> 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 1<sup>st</sup> 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 8<sup>th</sup> 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 12<sup>th</sup> 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 1<sup>st</sup> April 1964 – vide G.O.(P)108/65/Fin., dated 29<sup>th</sup> March 1965. Circular Memorandum No.47/65/Fin., dated 31<sup>st</sup> 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 31<sup>st</sup> March 1964; and

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

1964 and on whose death on or after 1<sup>st</sup> 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 1<sup>st</sup> April 1964.

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

(iii) parents of the deceased employee actually in receipt of family pension under Rule 80 above, on 31<sup>st</sup> 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 20<sup>th</sup>  
March 1969 – G.O.(P)  
356/72/Fin., dated 11<sup>th</sup>  
August 1972 read with  
G.O.(P)696/72/Fin.,

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

dated 28-12 -1972].

- (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 1<sup>st</sup> October 1967, i.e., on family pension due for payment in November 1967.

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

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

[G.O.(P)310/71/Fin.,  
dated 7<sup>th</sup> June 1971 and  
G.O.(P) 625/71/Fin.,  
dated 19<sup>th</sup> 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 1<sup>st</sup> April 1964 –vide G.O.(P)108/65/Fin., dated 29<sup>th</sup> March 1965]

\*The minimum rate of family pension admissible under this Rule will be Rs.20 per mensem with effect from 1<sup>st</sup> October 1967, Rs.25 per mensem with effect from 7<sup>th</sup> June 1971 and Rs. 40 per mensem with effect from 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> April 1964 and had not opted out of it.

\* Note:- All employees of the State Government who

\* Insertion

were on or after the 30<sup>th</sup> 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 1<sup>st</sup> 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 7<sup>th</sup> September  
1970 and  
G.O(MS)820/71/Fin.,  
dated 28<sup>th</sup> 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 1<sup>st</sup> April 1964 and

(c) who entered service on or after 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> October 1977].

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

G.O.(P)120/81/Fin.  
dated 16<sup>th</sup> 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 17<sup>th</sup> August 1950 and in Municipalities in Travancore area on 1<sup>st</sup> April 1953, the employees who were permanent in the Trivandrum Corporation on 17<sup>th</sup> August 1950 and in Municipalities of Travancore area on 1<sup>st</sup> 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 31<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> April 1964 – G.O(P) 33/73/Fin., dated 29<sup>th</sup> 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 1<sup>st</sup> 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 18<sup>th</sup> June 1980]

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



from 1<sup>st</sup> 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 1<sup>st</sup> 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 31<sup>st</sup> March 1964 and had opted not to be governed by these rules died on or after 1<sup>st</sup> 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 1<sup>st</sup> January 1966 (vide-sub-rule 4A) shall be payable to his family. \*[Omitted. Takes effect on and from 1<sup>st</sup> 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 16<sup>th</sup> 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 14<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> October 1971. [G.O.(P) 625/71/Fin., dated 19<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 17<sup>th</sup> 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 14<sup>th</sup> 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 1<sup>st</sup> 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 7<sup>th</sup> 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 1<sup>st</sup> October 1977]  
[G.O(P)120/81/Fin., dated 16<sup>th</sup> February 1981]

(4) The family pension under this rule is payable with effect from 20<sup>th</sup> March 1969 to the parents of the government employees who died while in service or after retirement on or after 1<sup>st</sup> 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.25<sup>th</sup> 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 1<sup>st</sup> April 1964, G.O(P)363/72/Fin., dated 16<sup>th</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> August 1967, and

\*[G.O.(P)388/67/Fin., dated 29<sup>th</sup> 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 17<sup>th</sup> January  
1977]

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

\*[G.O.(P)612/98/Fin.,  
dated 10/2/98]  
This will take effect  
from 3<sup>rd</sup> 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 28<sup>th</sup> 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 29<sup>th</sup> August 1967. [G.O.(P)210/82/Fin., dated 5<sup>th</sup> 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. 26<sup>th</sup> 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.10<sup>th</sup> 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 13<sup>th</sup> 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 22<sup>nd</sup> September 1977]
- (10) [Omitted. Takes effect on and from 1st October 1977]  
[G.O.(P)120/81/Fin., dated 16<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup>  
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 from .....20.....(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 15<sup>th</sup> 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 1<sup>st</sup> 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. 13<sup>th</sup> 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 made .....day.....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 appointed .....a retired Government employee in the post of .....which 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 Rupees .....being 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 of .....I hereby declare and state that my pension for the month of .....may 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 10<sup>th</sup> 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 1<sup>st</sup> 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. 27<sup>th</sup> 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 27<sup>th</sup> 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 1<sup>st</sup> January and the 1<sup>st</sup> 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 31<sup>st</sup> January or the 31<sup>st</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> 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 1<sup>st</sup> 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 from .....20..... to .....20.....

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 1<sup>st</sup> 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 16<sup>th</sup> 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 21<sup>st</sup> 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 13<sup>th</sup> February  
1978]

(iii) An indemnity bond in Form 8 A

The amendment hereby made shall come into force on the 13<sup>th</sup> 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 on .....19.....  
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 21<sup>st</sup> 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 24<sup>th</sup> 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 24<sup>th</sup> 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 2<sup>nd</sup> 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 25<sup>th</sup> 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 disbursing officer'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 16<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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

Appendix	I to IX	Please see the Kerala Service Rules, Volume I
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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 1<sup>st</sup> 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 13<sup>th</sup> 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 1<sup>st</sup> of the months in which the commuted value is drawn by the pensioner or 1<sup>st</sup> of the 4<sup>th</sup> 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 6<sup>th</sup> 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 13<sup>th</sup> October 1981]  
This amendment takes effect on and from 9<sup>th</sup> 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 24<sup>th</sup> May 1985]
- (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. 7<sup>th</sup> 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 21<sup>st</sup> October 1967) \*(G.O.(P)303/85/Fin., dated 24<sup>th</sup> 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 31<sup>st</sup> May 1978.

[G.O.(P)991/79/Fin.,da  
ted 7<sup>th</sup> 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 7<sup>th</sup> November, 1979]

†[G.O.(P)76/78/Fin., dated 16<sup>th</sup> 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 27<sup>th</sup> 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 23<sup>rd</sup> 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 31<sup>st</sup> 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 the pensioners consequent on the restoration of their commuted portion of pension.

[G.O.(P)610/98/Fin.,  
dated 10<sup>th</sup> February,  
1998]

[This shall be deemed to have come into force with effect from 1<sup>st</sup> 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 28<sup>th</sup> November 1963 – vide G.O.(P) 599/Fin., dated 28<sup>th</sup> November 1963.]

[This table is applicable to the officers governed by the Madras Civil Pension (Commutation) Rules, 1944 with effect from 2<sup>nd</sup> January 1964 – G.O.(P) 5/64/Fin., dated 2<sup>nd</sup> 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 2<sup>nd</sup>  
May 1967 G.O. (P)  
164/67/Fin., dated 2<sup>nd</sup>  
May 1967.

Note:- This table is based on a rate of interest of 4.75 percent per annum.

**ANNEXURE – III**

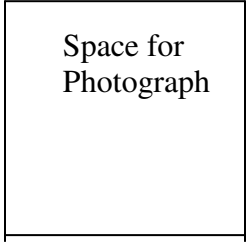
**Commutation Table Prescribed under rule 6 of the  
Pension(Commutation) Rules  
(Appendix X of Kerala Service Rules)**

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
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
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 12<sup>th</sup> July 1971-G.O.(P) 402/71/Fin., dated 12<sup>th</sup> 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.....  
Date .....20.....

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 .....  
Date .....20.....  
.....

Signature

Forwarded for report to ..... (here enter the designation and address of the Accounts Officer)

Place .....  
Date .....20.....  
.....

Signature

Designation.....

---

\*[G.O.(P) 991/79/Fin., dated 7<sup>th</sup> 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 .....  
Date .....20..... 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.....  
Date .....20..... *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.

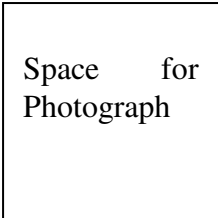
Station .....

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 9<sup>th</sup> July 1979.  
G.O.(P)642/81/ Fin., dated 13<sup>th</sup> October 1981.
4. Designation of the post held at the time of retirement/quitting the service. This amendment takes effect on and from 9<sup>th</sup> 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 13<sup>th</sup> 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  
7<sup>th</sup> November 1979]

This amendment takes effect on and from the 31<sup>st</sup> 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 1<sup>st</sup> day of April 1983].

\*G.O.(P)  
No.610/98/Fin.,  
Dated 10<sup>th</sup> 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 3<sup>rd</sup>  
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 1<sup>st</sup> October 1971– vide G.O.(P) 457/72/ Fin., dated 19<sup>th</sup> 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 1<sup>st</sup> October 1971—vide G.O.(P) 457/72/Fin., dated 19<sup>th</sup> 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 17<sup>th</sup> 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 18<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 17<sup>th</sup> 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  $\frac{2}{3}$ <sup>rd</sup>s 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  $\frac{2}{3}$ <sup>rd</sup>s 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  $\frac{2}{3}$ <sup>rd</sup>s 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) $\frac{2}{3}$ <sup>rd</sup> 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 $\frac{2}{3}$ <sup>rd</sup> 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  $\frac{2}{3}$ <sup>rd</sup>s of the basic pay last drawn.
- (iii) When pensionary awards at a consolidated rate equal to  $\frac{2}{3}$ <sup>rd</sup>s 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	$\frac{1}{3}$ <sup>rd</sup> of pay subject to a minimum of Rs.8 (Rs.40)	$\frac{1}{5}$ <sup>th</sup> 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 18<sup>th</sup> 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	$\frac{1}{8}$ <sup>th</sup> of pay subject to a maximum of Rs.200
2.	Rs.200 and over but under Rs.800	”	$\frac{1}{6}$ <sup>th</sup> of pay subject to a maximum of Rs.100 and minimum of Rs.50.
**3.	Under Rs.200	4 months pay	$\frac{1}{3}$ <sup>rd</sup> 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 18<sup>th</sup> June 1984)

\*G.O.(P) 457/72/Fin., dated 19<sup>th</sup> 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		$\frac{1}{10}$ <sup>th</sup> of pay subject to a minimum of #Rs.75 with effect from 1 <sup>st</sup> October 1971 collectively payable to all children if it collectively falls short of #Rs.75	$\frac{1}{20}$ <sup>th</sup> 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>
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*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.

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\* 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 16<sup>th</sup> March 1979 shall be deemed to have come into force from 21<sup>st</sup> 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 22<sup>nd</sup> March 1980. [G.O.(P)157/81/Fin. dated 9<sup>th</sup> 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 16<sup>th</sup> 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  
10<sup>th</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 16<sup>th</sup>.
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 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.

\*\*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 13<sup>th</sup>  
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 13<sup>th</sup>  
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 this .....day of .....20.....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 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 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  
13<sup>th</sup> 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 23<sup>rd</sup> 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 from .....to.....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 from .....to.....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.

Sl.No.	Name and address	Relationship to the deceased	Amount payable (Rs)
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 the .....day.....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 of .....two 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 is .....and 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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