

GOVERNMENT OF KERALA

**Abstract**

PENSION - DEPARTMENT OF WORD PENSION AS USED IN RULE 3, KERALA SERVICE RULES, PART 111 – AMENDMENTS TO RULES 2 AND 3 KERALA SERVICE RULES PART 111 ORDERS ISSUED.

---

**FINANCE DEPARTMENT**

**G.O (P) 244/65/Fin.**

**Dated, Trivandrum, 16<sup>th</sup> June 1965**

---

**ORDER**

Except when the word pension is used in contradistinction to death –cum retirement gratuity, pension includes death –cum retirement gratuity also . The word pension as used in Rule 3 Kerala Service Rules Part 111 will thus include death - cum retirement gratuity also Accordingly , if the pensioner loss caused to Government by a Government servant due to his negligence or misconduct has to be recovered from his death-cum retirement gratuity the procedure in Rule 3 has to be followed , i.e. , judicial / department proceedings have to be instituted before recovery . But if the word pension is used in contradistinction to death – cum retirement gratuity under Rule 3 , the pensioner loss caused to Government by an Officer can be recovered from his death –cum -retirement gratuity without undergoing the formalities prescribed by the rule , but after giving him a reasonable opportunity to explain .

2 In the circumstances Government are pleased to order that the term pension shall be used in contradistinction to death cum retirement gratuity in rule 30 so as to enable recovery of liabilities without recourse to judicial / departmental proceedings , but after giving the officer concerned reasonable opportunity to explain .

3 Accordingly the following notification of the amendments to the Kerala Service Rules will be published in the next issue of the Gazette.

**NOTIFICATION**

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India the Government of kerala hereby makes the following amendments to the kerala Service Rules namely

*AMENDMENT*  
(C.S NO. 64/65/ Fin. dated Trivandrum, 16-6-1965)

In part 111 of the said rules,

- (1) In rule 2 the existing Note 3 shall be deleted.
- (2) in rule 3 the existing Note shall be numbered as Note (1) and after the Note as so numbered , the following Note shall be inserted namely :

“ Note (2) The word pension used in this rule does not include death – Cum retirement gratuity ,. Liabilities fixed against an officer 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 officer the officer concerned a reasonable opportunity to explain “.

By order of the governor,  
C. THOMAS,  
*Finance Secretary.*

To

The Accountant General, Kerala  
All Heads of Departments and offices  
All Departments of the Secretariat and Sections.  
The Register of High Court, Ernakulam (with C.L)  
The Registrar University of Kerala (with C.L)  
The Secretary, Kerala Public Service Commission (with C.L)  
All Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries.  
Under Secretaries and Assistant Secretaries to the Government.  
The Secretary to the Governor.  
The private Secretaries to the Advisors.  
The Personal Clerk to the Secretary

---