

GOVERNMENT OF KERALA

Abstract

RULES-KERALA SERVICES RULES-RULE 8(c) KERALA SERVICE RULES,
PART III – COUNTING OF WAR/MILITARY SERVICE FOR PURPOSE OF
PENSION – GOVERNMENT DECISION-ORDERS ISSUED.

FINANCE (PENSION) DEPARTMENT

G.O. (P) 580/75/Fin.

Dated, Trivandrum 29th December 1975.

- Read :-
1. G.O. (P) 214/PD dated 24-7-1969.
 2. Letter No PRI/GI/5-1/72-73/402 dated 17-11-1972 from the Accountant General.
 3. Letter No F3 (23) EV (a) 74 dated 17-9-1974 from the Government of India.
 4. Letter No PRI/Genl. 5-1/75-76/254 dated 11-7-1975. from the Accountant General.

ORDER

According to the existing rules in Rule 8(b) Part III Kerala Service Rules, completed years of war service rendered between 3-9-1939 and 1-4-1946 up to a maximum of 5 years can be reckoned for civil pension subject to the condition that the service gratuity received, if any, from the Defence Department should be refunded. In the G.O. read above it has been ordered that service in the Armed Forces of India from 1-4-1946 which was pensionable under the Military rules but which terminated before a pension was earned can also be reckoned for pension in cases of retirements from 14-11-1966 subject to the condition that any bonus or gratuity received from the Defence Department should be refunded to that Department. The Accountant General, Kerala in his letter cited as second paper above has raised a doubt as to whether the War/Military Service of a person who is in receipt of a disability pension or a specific period granted in respect of his war service, can be counted for civil pension and if so under what conditions.

2. The Government of India in their letter cited, have clarified that where a military officer gets disability pension he becomes eligible for ordinary pension and the element of service rendered by him is included in the disability pension, his War/Military Service will count for Civil Pension provided he returns the Service elements. The Accountant General presumes that the implication that where a State Government employees is in receipt of a disability pension which does not include any service element his military service can allowed to count for pension and 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. The Accountant General has also suggested that necessary provision may be incorporated in the Rules under Rule 8(c) Part III Kerala Service Rules as Government decision.

3. Government have examined the question in detail and are pleased to issue the following Government decision.

4 Government decision No.2 under rule 8 (c) Part III, Kerala Service Rules.

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

5. The existing Government decision may be numbered as Government Decision No.1

By order of the Governor,

K.J.Thomas
Deputy Secretary.

To

The Accountant General, Kerala, Trivandrum.
Secretary, State S.S.& A Board.
All Heads of Department and Offices.
All Departments of the Secretariat.
The Secretary, Kerala Public Service Commission (with C.L.)
The Secretary, Vigilance Commission Trivandrum (with C.L.)
The Registrar of University, Trivandrum (with C.L.)
The Registrar of High Court, Ernakulam (with C.L.)
All Secretaries, Joint Secretaries, Additional Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Secretary to Governor.
The Private Secretary to the Chief Minister.
The Private Secretaries to other Ministers.
The Stenographer to the Chief Secretary.