

GOVERNMENT OF KERALA

Abstract

PUBLIC SERVICE – APPLICATIONS FROM GOVERNMENT SERVANTS
FOR APPOINTMENT UNDER THE GOVERNMENT OF INDIA OR
OTHER STATE GOVERNMENTS AND IN THE PUBLIC SECTOR
UNDERTAKINGS OF THE STATE GOVERNMENT OF OTHER
STATE GOVERNMENTS OR THE CENTRAL GOVERNMENT-
TERMS AND CONDITIONS FOR RELIEF ON
SELECTION – MODIFIED ORDERS ISSUED

GENERAL ADMINISTRATION (SERVICE – D) DEPARTMENT

G.O. (P) No 48/81/GAD

Dated, Trivandrum, 18th February 1981

- Read:- (1) G.O.(P) No. 124/66/PD dated 24-03-1966
(2) G.O.(P) No. 11/69/PD dated 07-01-1969
(3) G.O.(P) No. 330/69/PD dated 31-10-1969
(4) G.O. (P) No. 225/75/PD dated 15-10-1975

In the G.O read as first paper as amended by the G.O. second cited, Government issued orders to retain the lien of Government servants who take up employment under another State Government or the Government of India, subject to the following conditions:-

- (i) Permanent hands who are permitted by the competent authority to apply for and take up appointment under another State Government or the Government of India will be allowed to retain their lien in the State Service until they are confirmed under other State Governments/ Government of India or till five years from the date of relief, whichever is earlier. The Government will bear the pensionary charges of such Officers who are confirmed in the Service of other Governments in respect of the service rendered by them under the Government. No officer who resigns his service under this Government can claim the above concessions.
- (ii) Non – permanent hands who are permitted by a competent authority to apply for and take up appointment under another Government or the Government of India need not resign from the service of this State and they may revert to this Government at any time during a period of two years from the date of relief and at the end of two years they will be deemed to have resigned from Government Service, if they do not so revert, No pensionary charges in respect of their service in this State will be borne by this Government

2. According to the G.O read as fourth paper, the period of absence in cases covered by the Government orders first and second cited is to be treated as break of service, which will not count for any service benefits, but without forfeiture of past service.

3. In the G.O. read as third paper, Government ordered that the concessions referred to in Para 1 above regarding retention of lien will be extended to the Officers who take up appointments under the Corporations, Government Companies (Fully owned Companies and those in which Government hold 50% or more of shares) and Universities in the State, subject to the following further conditions.

- (i) When an Officer is absorbed in Government owned public undertakings in public interest the pensionary benefits till the date of absorptions will be governed by the provision of G.O. (p) 174/68/Fin. Dated 2-5-1968. If the absorption is not in public interest there is no question of Government meeting the pensionary charges either in the case of permanent or non- permanent hands. Till the date of absorption leave salary and pension contribution will be levied in all cases as required under the rules. [G.O. (P) No. 174/68/Fin. dated 2-5-1968 has since been superseded by G.O.(P) No. 893/78/Fin. Dated 30-12-1978 regulating the grant of retirement benefits to

Government employees transferred benefits to Government employees transferred to autonomous bodies/public undertaking including a body corporate, owned or controlled by Government]

- (ii) In the case of those who are transferred to the Universities in Public interest, their pensionary and leave salary charges will be regulated by the orders in G.O. MS. No. 161/67/Edn. Dated 15-4-1967. [The G.O. fourth cited has not been specifically extended to cases covered by G.O. (P) 330/69/PD dated 31-10-1969]

4. The pay and deputation allowance of an officer deputed to Foreign Service in accordance with the rules in Chapter XI Part I, Kerala Service Rules have to be regulated under the provisions of Not 3, under Rules 144 *ibid*. The question has been examined whether the officers permitted to take up employment in the Public Sector Undertakings under the control of the Kerala Government or other State Governments or the Central Government and the Universities in the State should be allowed the benefits of the higher scale of pay offered to them by bodies as well as the right to revert to their parent department after a specified period, without attracting the restrictions imposed in regard to the pay and allowances they could draw in the foreign body under the normal terms and conditions of deputation on foreign service laid down in the Kerala Service Rules. Governments are pleased to order that in such cases, the employees concerned will be given the following choices:

- (i) To go on deputation under the normal terms and conditions of deputation till they are absorbed in such foreign body in Public interest, in which case they can also enjoy all service benefits during the period of deputation till their absorption.
 - (ii) To take up employment on condition that the period of service in such foreign body till absorption or return to Government Service, will not count for any service benefits under this Government, but retention of lien in the service will be allowed subject to all other conditions in the Government orders read above. In such cases, there will be no question of this Government accepting the leave salary and pension contribution from the foreign employer or the employee himself.
5. The Government orders first to third cited will stand modified to the above extent

By order of the Governor
M.S. K. RAMSWAMY
Special Secretary to Government

To

The Accountant General, Kerala, Trivandrum (with C.L)
All Heads of Departments and Offices
All Departments and Sections of the Secretariat
The Registrar, High Court of Kerala, Ernakulam (with C.L)
The Registrar, University of Kerala/Cochin/ Calicut (with C.L)
The Registrar, Agricultural University, Mannuthi, Trichur (with C.L)
The Advocate General, Ernakulam (with C.L)
The General Manager, Kerala State Road Transport Corporation Trivandrum (with C.L)
The Secretary, Kerla Public Service Commission (with C.L)
The Secretary, Vigilance Commission
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries to Government
The Secretary, Kerala State Electricity Board, Trivandrum (with C.L)
The Private Secretaries to Chief Minister and other Ministers
The Secretary to Governor
The Under Secretary to the Chief Secretary