



GOVERNMENT OF KERALA

Finance (P.F.) Department

CIRCULAR

No. 78/93/Fin.

Dated, Thiruvananthapuram, 22nd November, 1993.

**Sub:—** Funds—Provident Fund Rules—Existing Note 4 under Rule 32—Deletion of—Amendment to the General Provident Fund (K) Rules—Eligibility of Succession Certificates and orders issued by a court of law for the settlement of Provident Fund accounts of a deceased subscriber—Instructions issued.

**Ref:—** 1. G. O. (P) No. 17/93/Fin. dated 5-1-1993.

2. Letter No. FMI/1-5/93-94/43 dated 18-5-1993 from the Accountant General (A&E), Kerala, Thiruvananthapuram.

In the reference first cited Government have deleted. Noted 4 under Rule 32 of the General Provident Fund (Kerala) Rules on the Advice of Accountant General based on advice rendered by Ministry of Law and Justice, Government of India, that Succession Certificate issued by a Court of Law should be treated as a decree of the Court for the settlement of the Provident Fund accounts of a deceased subscriber.

2. In the letter 2nd cited the Accountant General has brought to the notice of Government that, when the Provident Fund balances of a deceased subscriber are claimed by contending members of the family and others and when the rival claimants produce Succession Certificates and orders from the Courts, the Departmental Officers find it difficult to decide which of the certificates or orders should be treated as decree.

3. After detailed examination of the suggestions put forward by the Accountant General, Government are pleased to issue the following instructions:

1. When Succession Certificates and Orders of Courts obtained by the rival claimants are found to be at variance with the relevant rules, orders and regulations, legal opinion should be obtained before sanction for the payments are issued.

GPT. 4/4596/93/MC.

- Such cases should be considered at Government level for obtaining legal opinion of the Law Department.
- All the Heads of Departments/Subordinate Officers should refer such cases to the respective Administrative Departments for decision.
- All the heads of departments, Controlling Officers, Drawing and Disbursement Officers and Treasuries are directed to ensure that the instructions given above are carried out strictly in such cases where the Succession certificates produced are at variance.

E. K. PRAKASH,

*Additional Secretary to Government.*

To

- The Accountant General (A&E), Kerala, Thiruvananthapuram.
- The Accountant General (Audit), Kerala, Thiruvananthapuram.
- All Heads of Departments and Offices.
- All Departments and Sections of the Secretariat.
- The Registrar, High Court, Ernakulam (with C.L.)
- The Registrar, University of Kerala/Cochin/Calicut and Kottayam (with C.L.)
- The Advocate General, Kerala, Ernakulam (with C.L.)
- The Registrar, Agricultural University, Mannuthy, Thrissur (with C.L.)
- The Secretary, Kerala Public Service Commission (with C.L.)
- The Secretary, Vigilance Commission (with C.L.)
- The Secretary, Kerala State Electricity Board, Thiruvananthapuram.
- The General Manager, Kerala State Road Transport Corporation Thiruvananthapuram.
- The Secretaries, Additional Secretaries, Joint Secretaries to Government.
- The Private Secretaries to the Chief Minister and other Ministers.
- The Secretary to Governor.
- The Private Secretary to the Leader of Opposition, M.L.A. Hostel, Thiruvananthapuram.
- The Under Secretary to the Chief Secretary.
- The Stock file

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