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GOVERNMENT OF KERALA

Abstract

MILITARY SERVICE—PROCEDURE FOR SAFEGUARDING THE INTERESTS OF CIVIL GOVERNMENT SERVANTS WHO TAKE UP MILITARY SERVICE DURING EMERGENCY—PROTECTION OF PAY, LEAVE ETC.—DIRECTIONS OF THE GOVERNMENT OF INDIA—APPLICABILITY TO STATE GOVERNMENT SERVANTS AND EMPLOYEES OF THE LOCAL BODIES WHO TOOK UP MILITARY SERVICE DURING THE EMERGENCY—ORDERS ISSUED

GENERAL ADMINISTRATION (SS) DEPARTMENT

G. O. (P) 342/78/GAD. Dated, Trivandrum, 18th July 1978.

- Read:—1. G. O. (P) 282/63/PD dated 13-6-1963.
2. Corrigendum No. 1/4/63/D (Pay/Services) dated 12-6-1963 from the Government of India, Ministry of Defence.
 3. Office Memorandum No. A/02626/AG/PS3 (b)/5671/D (Pay/Services) dated 25-8-1975 from the Government of India, Ministry of Defence.
 4. Office Memorandum No. A/55008/AG/PS3 (a)/1073/D (Pay/Services) dated 10-3-1977 from the Government of India, Ministry of Defence.

ORDER

In the G. O. read above Government have laid down the terms and conditions subject to which Civil Government Servants can be permitted to take up Military service during emergency based on the instructions issued by the Government of India. Those instructions were subsequently amended by the Government of India. The GPT 3/2759/M.C.

instructions from the Government of India appended to the G. O. cited will accordingly stand modified to the extent noted below:—

(i) *Instruction (iii).*—Substitute the following for the fourth sentence:—

“Credits for the amounts deducted from pay on account of Provident Fund, advances etc., noted on L. P. C. should, however, be afforded to the Civil A. G. concerned.”

(ii) *Instruction (v).*—Add the following note at the end:—

“*Note.*—The above is in supersession of all earlier decisions, including orders contained in Ministry of Home Affairs, Office Memorandum No. 47/13/62-Ests (A), dated the 22nd October, 1962.”

(iii) *Instruction (viii).*—Substitute the following portion after the first sentence:—

“Contribution to the Fund will be deducted by the Military authorities and credits for recoveries made will be afforded to the civil accounts authorities concerned for adjustment in their books (In the case of Class IV Government servants an intimation in respect of the credits will also have to be sent to the parent office). In case any Government servant was not a subscriber of any Provident Fund before transfer to Military duty, he shall be called upon to become a member of the DS OP/AFPP Fund after completion of one year's continuous service from the date of his appointment on the civil side. In that case, the accounts of the officer will be maintained directly by the Military authorities. Any advance to be drawn from the Provident Funds shall be sanctioned by the competent Military authorities in consultation with the authorities controlling the Provident Fund concerned and necessary debits will be raised or credits given to the Civil Accounts authorities for the payments and recoveries made, intimation being sent to the parent office in the case of Class IV Government Servants.”

2. It is also clarified that the pay and Provident Fund of Civil Government Servants who are permitted to take up military service during the period of the last emergency shall be governed by the instructions issued by the Government of India appended to the G. O. cited as modified above.

3. In the Office Memorandum read as 4th paper the Government of India have communicated their decision that the instructions mentioned above would also inter alia be applicable to such officers

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during their training period preceding the grant of such Commission even if they are subsequently granted permanent Commission and that as soon as the training is over and permanent Commission is granted to such an officer he will cease to be governed by the provisions of the aforesaid Office Memoranda and his claim to come back to his Civil post should be deemed to have been terminated automatically. Thereafter such officer will be entitled to military rates of pay and allowances and could be governed by military rules.

4. Government are pleased to order that the above mentioned decisions would be applicable to the State Government Servants and employees of Local Bodies who took up military service during the emergencies declared in the past.

By order of the Governor,
K. S. BHASKARAN NAIR,
Under Secretary.

To

All Heads of Departments/Offices.
All District Collectors.
All Departments (all Sections) of the Secretariat including Law, Finance and Legislature.
The Registrar, High Court, Ernakulam (with C.L.).
The Secretary, Kerala Public Service Commission, Trivandrum (with C.L.).
The Secretary to Governor, Raj Bhavan, Trivandrum.
The Advocate General, Ernakulam.
The Accountant General, Kerala, Trivandrum. (This order issues with the concurrence of Finance Department).
All Officers in the Secretariat of and above the rank of Under Secretaries.
The Private Secretary to Chief Minister and other Ministers.
The Finance Department—Vide U. O. No. 34755/R1/76/Fin, dated 10-7-1978.
The Under Secretary to Chief Secretary.