

GOVERNMENT OF KERALA  
**Finance Department**

CIRCULAR

No.110/77/Fin.

Dated, Trivandrum, 17<sup>th</sup> December 1977

Sub: - Pension- War/Military service-counting for pension in the absence of military verification certificate –Action to be taken-Guidelines issued.

Ref:- 1. Letter No. 1320/2652/77/D (Pension/ services) dated 21-5-1977 from the Ministry of defence, Government of India.  
2. Letter No.PrI/GI/5-1/XIV/228 dated 13-9-1977 from the Accountant General, Kerala.

According to rule 8(b) and (c) of part III, kerala Service rules war/ military service will count for civil pension provided the Military verifications Certificates in the prescribed form is produced and the terminal benefits such as service gratuity received , if any, are refunded, Several cases of ex-military personnel re-employed in civil service have come before Government requested to count their past war/Military service for civil pension in respect of which no military verification certificates are available. In some cases even though the military verification certificate is available details regarding the service gratuity received not seen recorded. The matter was taken with the Defence Department for a clarification whether they will share the proportionate pensionary liability in case where the war/ military service is reckoned for civil pension on the basis of the discharge certificates without the production of the Military verification Certificate. The Government of India in their letter cited first have state that in case the certification is not forthcoming there is no objection to count war/ military service on the basis of the discharge certificate and that in such cases indemnity bond may be taken from the person concerned so that in case it is discovered subsequently that he received some retirement benefits he shall refund the same to Government.

2. After examined various aspects of the case, Government are pleased to issue the following instructions for counting war/ military service for civil pension in cases where the Defence Authorities have certified that the military verification certificate could not be made available:-

(i) War/ military service will be allowed to count for civil pension on production of the military discharge certificate issued by the concerned Authorities.

(ii) An indemnity bond in the form appended should be got executed by the person concerned with two solvent sureties, so that in case it is discovered subsequently that he received any terminal benefits for his war/ military service he shall refund the same to Government.

(iii) This procedure shall be adopted only if the military verification certificate could not be made available. The concerned administrative authorities should make sure from the Defence Department that the military verification certificate containing details regarding the payment of service gratuity etc, could not be made available.

(iv) It case any person admits that he has received any amount as terminal benefits from the Defence Department for his war/ military service he shall refund the same to Government or the same will be adjusted from the pensionary benefits due to him from Government.

M. MOHAN KUMAR  
*Additional Secretary.*

To

The Account General Kerala. Trivandrum  
All Heads of Departments and Offices  
All Departments (all sections) of the Secretariat  
The Register, High Court of Kerala, Ernakulam (with C.L)  
The Secretary, Kerala Public Service Commission (with C.L)  
The Register, University of Kerala/Calicut/Cochin (with C.L)  
The Registrar, Kerala Agricultural University, Trichur (with C.L)  
The Advocate General, Ernakulam (with C.L)  
The Secretary, Kerala State Electricity Board (with C.L)  
The General Manager, Kerala State Road Transport  
Corporation, Trivandrum (with C.L)  
The Secretary to Governor  
The Private Secretary to the Chief Minister and other minister  
The Stenographers to the Chief Secretary and Additional Chief Secretary.

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**FORM OF INDEMNITY BOND**

**KNOW ALL MEN BY THESE PRESENTS THAT WE**, Shri.....  
(H.E. name and address ) and Shri, .....(H.E name and address) (hereinafter called the sureties) do hereby bind ourselves and each of us and each of our heirs, executors and administrators jointly and severally to pay to the Governor of kerala ( hereinafter called the Government) on demand the sum of Rs ..... (H.E An amount a little higher than the probable amount that the Government may have to grant to the Bounden by way of retirement benefits proposed to be granted additionally due to reckoning of war/ military service).

Signed and dated this..... the day of .....  
by the Bounden.

In the Presence of witnesses:

- 1 .....
- 2 .....

Signed by Shri..... ands  
Shri..... (Sureties)

In the Presence of witness:

- 1 .....
- 2 .....

**WHEREAS** the Bounden is due to retire/ retired form Government service as ..... with effect form ..... and has requested Government to count his ..... years of War/Military service for calculating his pensionary benefits;

**AND WHEREAS** the Bounden has represented to the Government and the Defence Authority have certified that the Military verification certificate of the Bounden could not be made available and that the bounden has further represented that he has not received any service gratuity or other retirement benefits, other than an amounts or Rs ..... (H.E. the amount the Bounden has received as service gratuity or other retirement benefit if any, that is already refunded to Government) from the Defense Department fort he War/ Military Service, which has to be refunded to Government/ Defence Department under the provisions of kerala Service Rules in case his war/ Military service is counted for purposes of pension:

**AND WHEREAS** the Government have agreed to reckon the ..... years of war/ military service of the Bounden for purposes of pension on the basis of the discharge certificate of the Bounden on condition that the Bounden shall execute a bond with two solvent sureties agreeing to refund to the Government in case it is subsequently discovered that the Bounden has received as service gratuity/ terminal benefits for his war/ Military service any amount other than the amount mentioned above and that the same has not been refunded to Government/ Defence Department, as per Rule 8 (b) and

8 ( c) of part III Kerala Service Rules or any other provisions their in all such sums together with interest thereon as may be determined by the Government:

**AND WHEREAS** the Bounden and the Sureties have agreed to the same:

**NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATION** is that if on subsequent verification or otherwise it is found that the Bounden has received any service gratuity or other terminal benefits for his war/ military service and that the same has not been refunded to Government/ Defence Department, the Bounden and the sureties shall forthwith pay to Government the amount the Bounden has so received together with interested thereon at the rate of ..... % per annum from the date of demand to the date of payment and upon payment of such sum the above written obligation shall be void no effect, other wise this shall be and remain in full force and effect:

Provided further that the Bounden and the sureties hereby further agree that all sums found due to the Government under or by virtue of this Bond shall be recoverable jointly and severally form them and their properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue or in such other manner as the Government may deem fit.

The liability of the sureties under this Bond is Co-extensive with that of the Bounden and shall not be impaired or affected by the Government giving time of any other indulgence to the Bounden or by the Government varying any of the terms and conditions herein contained.

Signed by Shri..... (the Bounden)

In the Presence of Witnesses:

- 1 .....
- 2 .....

Signed by Shri..... and  
Shri ..... (Sureties)

In the Presences:

- 1 .....
- 2 .....

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