

GOVERNMENT OF KERALA

**Abstract**

PENSION - SETTLEMENT OF CLAIMS IN RESPECTN OF MAN MISSING CASES  
-INSTRUCTION ISSUED

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**FINANCE (PENSION -B) DEPARTMENT**

**G.O (P) 1028/87/Fin.**

**Dated, Trivandrum, 2<sup>nd</sup> December 1987.**

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- Read:- 1 Government of India O.M No . 1/17/86 -P& PW  
Dated 29-8-1986 from the Ministry of personal,  
Public Grievances and pensions.  
2. Letter no Co -rd 11/12-88/Pen. /123/443 dated 5-8-1987  
from the Accountants General,Kerala.

**ORDER**

At present , the family pension to the eligible members of the family of the employees who have disappeared and whose where about are not known is being considered on merits . As per section 108 of Indian Evidence Act , unless a period of 7 years has elapsed since the date of disappearance of the employee , he cannot be deemed to be dead and the retirement benefits cannot be paid to the family ,. The Government of India in their O.M read above have liberalized the settlement of pensionary claims in respect of man - missing cases. Government after examining the carious aspects of the case in consultation with the Account General , Kerala are pleased to issue the following instructions on the lines of the Government of India orders .

- (i) When an employee disappears leaving his family , the family will be paid in the first instance the amount of salary due , leave encashment due and the amount of General provident Fund having regard to the nomination made by the employee
- (ii) After the elapse of a period of one year the date of disappearance the pensionary benefits such as Death - cum retirement Gratuity , family pension etc, will be granted to the family of the employee.

(2) All such cases will be forwarded to the Government through the Head of Department for sanctioning payment along with the following documents .

- (i) The certificate from the concerned Police station to the effect that the employee could not be traced out after all efforts had been made by the police .
- (ii) An indemnity Bond in Stamped Paper from the legal heir / nominee of the employees stating that all payments will be adjusted against the payments due to the employee in case he appears on the scene and makes any claim .

3 The Head of Office will assess all Government dues outstanding against the Government servant and effect their recovery in accordance with the rule .

4 The family can apply n to the Head of Office of the Government servant for grant of family pension and Death - Cum - retirement gratuity after one year from the date of disappearance of the Government servant in accordance with the procedure prescribed for sanction of family Pension and Death – cum retirement n Gratuity .

5 The concerned Administrative department of the Secretariat will sanction the benefits with the concurrence of the Finance Department.

By order of the Governor,  
J. JAPAMONY  
*Joint Secretary.*

To

The Accountant General, (A& E)/ (Audit), Kerala, Trivandrum,  
ALL Heads of Department s and office  
ALL Departments and all sections of the Secretariat.  
The Registrar , High Court of Kerala, Ernakulam (with C.L)  
The Registrar University of Kerala/Cochin/Calicut/Kottayam (with C.L)  
The Register Kerala Agriculture 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, Kerala Public Service Commission, Trivandrum (with C.L)  
The Secretary to Governor.  
The Private Secretaries to the Chief Minister and other Ministers,  
The Private Secretary to the Leader of Opposition Room No 28 Legislators  
Hostel (Old Block) Trivandrum.  
The Confidential Assistant to the Chief Secretary.

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