

GOVERNMENT OF KERALA

**Abstract**

PAYMENT OF THREE MONTH'S PAY AND ALLOWANCES IN LIEU OF THREE MONTHS NOTICE TO GOVERNMENT SERVANTS RETIRED IN THE INTEREST OF PUBLIC SERVICE- CLARIFICATION- ORDERS ISSUED.

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FINANCE (PENSION-B) DEPARTMENT

**G.O. (P) 595/81/Fin.**

**Dated, Trivandrum, 14th September 1981.**

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Read: - Government of INDIA O.M.No.7 (2) EV. (A) 75 dated 18-3-1976.

The Government of India, in the O.M. read above, have issued guidelines for regulating payment of pay and allowances to a Government servant, who has been retired in the public interest, in lieu of three month's notice. There is no provision in Kerala Service Rules as to how the payment of three months pay and allowances in lieu retired in the public interest under the note below Rule 56, part III, Kerala Service Rules

2. Government has considered the question of incorporating suitable provision in the State Government. Rules on the lines of the Government of India O.M read above and are pleased to issue the following clarifications on the question of regulating the payment of pay and allowances in lieu of the three month's notice contemplated under the Note below rule 56, Part III, Kerala Service Rules.

3. (i) As the Government servant concerned will retire immediately on payment of pay and allowances in lieu of notice he would be entitled to pension from the date of such retirement and the pension shall not be deferred till after the expiry of the period of three months for which he is paid pay and allowances. In other words, pay and allowances given in lieu of the notice period would be in addition to pension for the said period..

(ii) The Government servants who are given pay and allowances in lieu of the notice period are continued to H.R.A. and other allowances at the rates at which they were drawing the allowances immediately before retirement subject to the certificate prescribed in the relevant rules for the purpose of grant of such allowances..

(iii) The payment of pay and allowances in lieu of the notice period should be made simultaneously with the order of retirement.

(iv) The pay and allowances to be given in lieu of the notice period would be the pay and allowances drawn by him immediately before retirement. Since he would stand retired immediately on payment of pay and allowances, the question of taking into consideration on the date of increment does not arise.

(v) The Three month's pay and allowances given in lieu of notice are "salary" and therefore, income-tax is required to be deducted.

(vi) The Government servant would stand immediately on payment of three month's pay and allowances in lieu of the notice period and will not be in service thereafter. Therefore, the question of counting any period subsequent to the date of such retirement for purpose of pension etc, does not arise.

Necessary amendments to part III Kerala Service Rules will be issued separately.

BY order of the Governor,  
A. SIVASANKARAN NAIR,  
*Additional Secretary.*

To

The Accountant General, Kerala, Trivandrum.  
All Heads of Departments and Offices.  
All Departments (all sections) of the Secretariat.  
The Registrar, High Court of Kerala, Ernakulam (with C.L)  
The Secretary, Kerala Public Service Commission (with C.L)  
The Registrars University of Kerala/Cochin/Calicut (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 (withC.L)  
The General Manager, Kerala State Road Transport Corporation  
Trivandrum (with C.L)  
The Secretary to Governor  
The Private Secretaries to the Chief Minister and other Ministers.  
The Stenographer to the Chief Secretary and Additional Chief Secretary.

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