

GOVERNMENT OF KERLA
Finance (Pension –B) Department

CIRCULAR

No 32/84/Fin.

Dated, Trivandrum, 23rd April 1984.

Sub:- Pension-War/Military Service-Counting for pension in the absence of information regarding refund of terminal benefits in the military verification certificate-Action to be taken Guidelines issued.

Ref:- Letter No. PRI/GI/5-1/80-81/219 dated 3-10-1980 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 Verification Certificate in the prescribed form is produced and terminal benefits such as service gratuity received, if any, are refunded. Under column 16 of the Form prescribed for the purpose and incorporated under Government Decision No 1 below rule 8 (b), the amount of service gratuity received for War/Military service is required to be shown for the purpose of refund/adjustment for counting the War/Military service. It has come to the notice of Government that in certain cases the information regarding the amount received as service gratuity is not available. The reason for this noted in the Military Verification Certificate is that the amount is not known due to the absence of service rolls. The Accountant General in his letter cited has requested Government to advise how the military service in such cases is to be reckoned.

2. After examining the case in detail Government are pleased to issue the following instructions for counting War/Military service for civil pension in cases where information regarding the amount received as service gratuity is not available.

(i) 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.

GPT. 4/1600/MC.

(ii) In case any person admits that he has received any amount terminal benefits from the Defence Department for his War/Military service he shall refund the same to Government or the same will be adjusted the pensionary benefits due to him from Government.

JOSEPHINE ANNE CLARANCE
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 Registrar 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 Manger, Kerala State Road Transport Corporation 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, Legislation
Hostel (Old Block), Trivandrum.
The Confidential Assistant to the Chief Secretary.

FORM OF INDEMNITY BOND

KNOW ALL MEN BY THESE PRESENTS THAT WE,

Shri,.....(H.E. name and address)
(here in after called the Bounden) and
Shri..... (H.E.
name and address) and Shri..... (H.E.
name and Address) (hereinafter called the sureties) to 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 Witnesses:

1.
2.

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

In the presence of Witnesses:

1.
2.

WHEREAS the Bounden is due to retire/retired from Government service aswith effect from.....and has requested Government to count hisyears of war/military service for calculating his pensionary benefits;

AND WHEREAS the Bounden has represented to the Government and the Defence Authorities 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 amount of 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 Defence Department for the 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..... 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 Bounds 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 therein all such sums together with interest thereon as may be determined by Government;

AND WHEREAS THE Bounden and the Sureties have agreed to the same;

NOW THE CONDITION OF THE ABOVE WRITEN OBLIGATION is them if on subsequent verification or otherwise it is found that the Bounds has received any service gratuity or other terminal benefits for his War/Military service and 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 interest 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 the Bond shall be recoverable jointly and severally from them and their properties movable and immovable under the provisions of the Revenue Recovery act for the time being in force as through 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 or 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 Presence of Witnesses:

1.....

2.....