

GOVERNMENT OF KERALA

Abstract

RULES – K.S.RS – DEFINITION OF FAMILY UNDER RULE 79 PART III, K.S.R. –
AMENDMENT ISSUED.

FINANCE DEPARTMENT

G.O.(P)554/63/Fin.

Dated, Trivandrum, 19th October, 1963.

ORDER

The definition of 'family' as given under rule 79 Part III, K.S.R.s does not include 'adopted children' married daughters, and 'children of a pre-deceased son'. The Government of India have recently issued orders amending their rules including 'married daughters' and 'children of a pre-deceased son' in the definition of family' thus making them eligible for a share of the death-cum-retirement gratuity due to the Officer. The question of issuing similar amendment to the rules in K.S.Rs was considered by the Government and it was decided to amend the rules in K.S., Rs was considered by the Government and it was decided to amend the rules under K.S.R.s accordingly. They, therefore, order that the two categories 'married daughters' and 'children of a pre-deceased son' will also be included in the definition of family given in rule 79 Part III, K.S.Rs. This amendment will not, however, affect rule 90 Part III, K.S.Rs solar as the grant of 'family pension' is concerned. The Government are also pleased to include 'adopted children' in the definition of the term 'family' as in the liberalized pension rules of the Central Government.

The following notification will accordingly be published in the next issue of the Kerala Gazette.

NOTIFICATION

In exercise of the powers conferred by the Proviso to Article 309 of the Constitution of India, the Governor of Kerala hereby makes the following amendments to the Kerala Service Rules, namely:-

AMENDMENTS

C.S. No.39/63.

In Part III of the said Rules:-

1. In rule 75, clause (ii), for "surviving members of the family as in items (e), (f) and (g) of rule 79", the following shall be substituted, namely:-
"surviving members of the family as in items (e), (f), (g), (h) and (i) of rule 79".
2. For rule 79, the following rule shall be substituted, namely:-
"Family' for the purposes of this section will include the following relatives of the officer:-
 - (a) Wife in the case of a male officer,
 - (b) Husband, in the case of a female officer.
 - (c) Sons
 - (d) Unmarried and widowed daughters.

- (e) Brothers below the age of 18 years and unmarried or widowed sisters,
- (f) Father
- (g) Mother
- (h) Married daughters and
- (i) Children of a pre-deceased son.

Note: (c) and (d) will include step children and adopted children”.

- 3. In rule 90, the following shall be added at the end, namely:-
“excluding items (h) and (i)”;
- 4. In rule 139, in clause (c) Note I,.....
(a) in sub-clause (d) of clause (i)
- (i) the following shall be added after the first sentence, namely:-
“If the death-cum-retirement gratuity becomes payable to a minor child of a predeceased son, payment should be made to the mother of the beneficiary except in the case where the mother happens to be a Muslim lady”;
- (ii) in the third sentence in sub-clause (d) as amended above, for the words “In this case too” the following shall be substituted, namely:-
“In these case too”;
 - i. in sub-clause (b) of clause (ii), in the first sentence the words
“a married daughter” shall be omitted.

These amendments will apply only to the claims arising on and after the date of the order.

By order of the Governor,.
T.G. UNNI,
Assistant Secretary.

To

The Accountant General, Kerala.
The Registrar of High Court (with C.L.)
The Registrar, University of Kerala (with C.L.)
The Secretary, Public Service Commission (with C.L.)
The Private Secretary, Public Service Commission (with C.L.)
The Private Secretary to the Chief Minister and other Ministers.
The Secretary to Governor, Personal Clerk to Chief Secretary.
All Sections of the Secretariat.
All Departments of the Secretariat.