

GOVERNMENT OF KERALA
Abstract

**RULES-KERALA SERVICE RULES-RULE 119, KERALA SERVICE RULE,
PART III – EXPEDITIOUS SETTLEMENT OF PENSION CASES-AMENDMENT
ISSUED.**

FINANCE DEPARTEMENT

G.O. (P) 108/75/Fin.

Dated, Trivandrum, 24th March, 1975.

Read: - Letter No.PR.I/Genl. 6-44/73-74 dated 3-4-1974 from the Accountant
General, Kerala, Trivandrum

ORDER

Rule 119, Kerala Service Rule, Part III (Revised Edition issued in G.O.(P) 32/74/fin. dated 14-2-1974) provides that an ordinary pension is payable from the date on which the pensioner ceased to be borne on the establishment or from the date of his application, whichever is earlier. The object of the letter alternative is to prevent unnecessary delay in the submission of application. Similar provision exists in the General Civil Service (Pension) Rules also. The Government of India held the view that the starting of pension from the date of application when it happens to be later is unconstitutional in the light of the decision of the Supreme Court wherein it has been held that the right to pension is a valuable right vesting in a Government Servant and is Property Under Article 19 (1) (f) and article 31 (1) of the Constitution of India, and have decided to amend the corresponding provision in the C.C.S. (Pension) Rules. The Accountant General, Kerala in his letter and read above has advised the State Government to amend the provision in the Kerala Rules also suitably.

Government have examined the case and decided to amend Rule 119, Kerala Service Rules, Part III. In the circumstances the following notification is hereby issued

NOTIFICATION

S.R.O.No.,320/75- In exercise of the powers conferred by subsection (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 19968) read with section 3 thereof, the Government of Kerala hereby makes the following amendment to the Kerala Service Rules, namely:-

AMENDMENT
(C.S.No.265/75)

In Part III of the said rules, in rule 119, the words “ or from the date of his application, whichever is later” and the Ruling under the No there under shall be deleted.

By order of the Governor
K.V.RAVEEDRAN NAIR
Finance Secretary.

To

The Accountant General, Kerala, Trivandrum.
All Heads of Departments and Offices.
The Registrar, High Court,Ernakulam (with C.L)
The Registrar, University of Kerala/Cochin/Calicut (do)
The Registrar, Agricultural University,Mannuthy (do)
The Secretary, Kerala Public Service Commission (do)
The Secretary,K.S.E.B Board, Trivandrum (do)
The Special Secretaries, Secretaries, Additional Secretaries, Joint
Secretaries, Deputy Secretaries and Under Secretaries to Government.
The Private Secretaries to the Chief Minister & other Ministers.
The Secretary to Governor.
The Personal Clerks to the Chief Secretary and Additional Chief
Secretary to Government.
