



KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. LV വാല്യം 55	Thiruvananthapuram, Tuesday തിരുവനന്തപുരം, ചൊവ്വ	9th March 2010 2010 മാർച്ച് 9 18th Phalguna 1931 1931 ഫാൽഗുനം 18	No. } നമ്പർ } 540
----------------------	---	---	----------------------

GOVERNMENT OF KERALA

Finance (Pension-B) Department

Downloaded copy - Association of Retired Teachers (ART)
Farook College NOTIFICATION

G. O. (P) No. 64/2010/Fin. Dated, Thiruvananthapuram, 10th February, 2010.

S. R. O. No. 240/2010.—In exercise of the powers conferred by sub-section (1) of Section 2 of the Kerala Public Services Act, 1968 (19 of 1968) read with section 3 thereof, the Government of Kerala, hereby make the following rules further to amend the Kerala Service Rules, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Service (3rd Amendment) Rules, 2010.

(2) They shall be deemed to have come into force on the 24th day of August, 2001.

2. *Amendment of the Rules.*—In Part III of the Kerala Service Rules,—

- (1) sub-rule (9A) of rule 90 shall be omitted;
- (2) in rule 138,—

(a) for clause (a), the following clause shall be substituted, namely:—

“(a) On the death of pensioner/family pensioner, payment of any arrears actually due may be made to his heirs/nominees as laid down in sub-rule (b) below without obtaining fresh sanction from Pension Sanctioning Authority.”;

(b) for clause (b), the following clause shall be substituted, namely:—

“(b) A pensioner/family pensioner may nominate any person in the family as defined in Rule 71 who shall receive after the death of the pensioner/family pensioner all moneys payable to him on account of such pension accrued before or after the date of such nomination which remains unpaid immediately before the death of the pensioner, as per the procedure laid down below:—

(1) Every pensioner/family pensioner who has not nominated a person prior to the notification of these rules, shall nominate any person as laid down in clause (b) above, in Form 15 and submit it in triplicate to the respective pension disbursing authority through whom pension is drawn, within 3 months from the date of this notification.

(2) Within thirty days of the receipt of nomination in Form 15 as referred to in sub-clause (1) the pension disbursing authority shall get the particulars of the pensioner/family pensioner as mentioned in Form 15, verified with reference to the available records and return to the pensioner, after obtaining a receipt thereof, the duplicate copy of the nomination in Form 15 duly attested by him or an officer authorised by him in this behalf. The triplicate copy shall be sent to the pension sanctioning authority while the original copy of the nomination shall be recorded.

(3) Every employee who is due to retire shall also submit nomination in triplicate in Form 15 to the Head of the Department/Head of Office (Head of Department/Head of Office referred herein is the Authority who is competent to receive the pension application and to certify the remarks of the Receiving Authority) along with the pension application (Pension Book).

(4) Within thirty days of the receipt of the nomination in Form 15 under sub-clause (3), the Head of Department/Head of Office shall get the particulars of the employee, as mentioned in Form 15, verified with reference to the records of the establishment and return to the employee, after obtaining receipt thereof, a duplicate copy of the nomination in Form 15 duly attested by him or by an officer authorized by him in this behalf. The original copy duly accepted shall be sent to the pension sanctioning authority along with the pension application (Pension Book) who shall pass it on to the pension disbursing authority through the Accountant General (A&E) along with the pension payment order. If the pension payment order has already been issued in a particular case, the nomination shall be sent separately through the Accountant General (A&E) quoting the pension payment order, number and other particulars of the pensioner to enable the pension disbursing authority to link it with the pension payment order.

(5) A notice of modification of nomination including cases where a nominee predeceases the pensioner/employee shall be submitted in triplicate in Form 16 to the pension disbursing authority or Head of Department/Head of Office, as the case may be, in the manner as laid down in clause (b) above and thereafter the provisions of sub-clause (2) or (4), as the case may be, shall apply mutatis mutandis to effect the modifications.

(6) A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the pensioner/family pensioner or if he is illiterate, shall bear his thumb impression given in the presence of two witnesses who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be.

(7) A nomination or a fresh nomination or a notice of modification of nomination shall take effect from the date of receipt thereof by the pension disbursing authority or the Head of Department/Head of Office as the case may be.

(8) A nomination made under sub-clause (1) or (3) or a notice of modification of nomination made under sub-clause (5) and accepted by the pension disbursing authority or the Head of Department/Head of Office, shall be a conclusive proof with regard to the person nominated to receive arrears of pension of the pensioner/family pensioner under these rules.

- Note:*—(1) If the nomination is filed in favour of one or more members the amount or share payable to each member should be specified.
- (2) Nomination shall also be made in favour of a person other than the members of the family as defined in Rule 71 in case:—
- (a) the person is a guardian legally authorized to look after minor children or physically disabled/mentally retarded children;
 - (b) the person is a Mother Superior of Convent/Head of the religious institution to which the pensioner Nun/Priest of Church belong to.
- (3) A registered “Will” proved by letters of administration or probate shall also be accepted as valid nomination in the case of those who have not filed nomination provided that the employee had no family at the time of death.
- (4) The right conferred upon the nominee shall pass on to such other nominee as specified in the nomination in the event of nominee predeceasing the pensioner/family pensioner.
- (5) Nomination of unmarried person shall become invalid on getting married”;

(3) after Form No. 14, the following Forms shall be inserted, namely:—

FORM No. 15

(See rule 138)

Pension Disbursing Authority/Head of Office

(Name of Bank/Treasury/Post Office/Authority who is competent to certify RRA/Pension Sanctioning Authority)

Place

I..... hereby make the following
(Name of the Pensioner/Family Pensioner in capital letters) nomination for payment of arrears of pension.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Name and address of the nominee	Relationship with the pensioner/ family pensioner	Date of birth of the nominee	If the nominee in column (1) is minor, name and address of person who may receive the said pension during the nominee's minority	Share Payable	Name and address of other nominee in case the nominee under column (1) above predeceases the pensioner	Relationship with the Pensioner/ Family Pensioner	Date of birth of the other nominee	Share payable against the share of original nominee	If the nominee in column (6) is minor, name and address of person who may receive the pension during other nominee's minority	Contingency on happening of which nomination shall become invalid.

Place:

Date:

Signature (or thumb impression if illiterate)
and name of pensioner/family pensioner
Address:

Witness: Signature (1)

Name and address (2)

Pension Payment Order No.

(Acknowledgement to be sent by the Pension Disbursing Authority/Head of Office in the duplicate copy)

Certified that application/Nomination has been received from.....(name of pensioner)
whose address is

Particulars of the pensioners/family pensioners have been verified with reference to the available records in this office and receipt of the nomination is acknowledged.

Place:

Date:

Signature of Pension Disbursing Authority/Bank/
Treasury/Post Office/Pension Sanctioning Authority/
Head of Office.
Full Address"

"FORM No. 16

(See rule 138)

Pension Disbursing Authority/Head of Office

(Name of Bank/Treasury/Post Office/Authority who is competent to certify RRA/Pension Sanctioning Authority)

Place

I,, hereby make the following
 (Name of the Pensioner/Family Pensioner in capital letters) alternative nomination in
 cancellation of the previous nomination made on.....for payment of arrear of
 pension.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Name and address of the nominee	Relationship with the pensioner/ family pensioner	Date of birth of the nominee	If the nominee in column (1) is minor, name and address of person who may receive the said pension during the nominee's minority.	Share Payable	Name and address of other nominee in case the nominee under column (1) above predeceases the pensioner/ family pensioner	Relationship with the Pensioner/ Family Pensioner	Date of birth of the other nominee	Share payable against the share of the original nominee	If the nominee in column (6) is minor, name and address of person who may receive the pension during other nominee's minority	Contingency on happening of which nomination shall become invalid.

Place:

Date:

Signature (or thumb impression if illiterate)
 and name of pensioner/family pensioner
 Address:

Witness: Signature (1)
 Name and address (2)

Pension Payment Order No.

Certified that application/Nomination (alternative nomination in form 16) has been
 received from.....(name of pensioner) whose address is

Form 15 has been cancelled and returned to the pensioner/family pensioner.
 Particulars of the pensioners/family pensioner have been verified with reference to the
 available records in this office and receipt of the nomination is acknowledged.
 (Acknowledgement to be sent by the Pension Disbursing Authority/Head of Office in the
 duplicate copy).

Place:

Date:

Signature of Pension Disbursing Authority/Bank/
 Treasury/Post Office/Pension Sanctioning Authority/
 Head of Office.
 Full Address":

By order of the Governor,

DR. P. PRABAKARAN,

Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

According to rules 138 and 139 of Kerala Service Rules Part III, the legal heirs of a deceased pensioner have to produce either a heirship certificate (for claims up to Rs. 75,000) or a legal authority issued for receiving the lifetime arrears of pension due to a deceased pensioner. This was causing much hardship to the legal heirs. To avoid this, Government have extended the facility of nomination to pensioners for drawal of lifetime arrears of pension in the event of their death vide G.O. (P) No.408/84/Fin. dated 16th August, 1984 and for the payment of lifetime arrears to the Legal heirs/nominees of the pensioner without obtaining fresh sanction from pension sanctioning authority vide G.O. (P) No. 1001/2001/Fin. dated 24th August, 2001. As per above Government Order, the clause (9A) to rule 90 of the Kerala Service Rules Part III which stipulates that the arrears on account of pension in respect of a deceased pensioner can be given to the person who is living and is entitled to receive family pension on the date of issue of the order sanctioning family pension, has been deleted. In order to give statutory validity to the above orders, suitable amendment has to be made to Kerala Service Rules Part III.

This notification is intended to achieve the above object.

To

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

The Accountant General (A&E), Kerala, Thiruvananthapuram.

All Heads of Departments and Offices.

All Departments (all Sections) of the Secretariat.

The Secretary, Kerala Public Service Commission (with C.L.)

The Registrar, University of Kerala/Cochin/Calicut/Mahatma Gandhi/
Agricultural University/Sree Sankaracharya University/Kannur
(with C. L.).

The Secretary, Kerala State Electricity Board (with C.L.)

The General Manager, Kerala State Road Transport Corporation,
Thiruvananthapuram. (with C.L)

The NORKA Department.

All Secretaries/Additional Secretaries/Joint Secretaries/
Deputy Secretaries/Under Secretaries to Government.

The Secretary to Governor.

The Private Secretaries to Chief Minister and other Ministers.

The Private Secretaries to the Leader of Opposition and
Government Chief Whip.

The Private Secretary to the Hon'ble Speaker.

The Director of Public Relations, Thiruvananthapuram.

The Additional Secretary to the Chief Secretary.

The Director of Treasuries, Thiruvananthapuram.

The District Treasuries/Sub Treasuries.

The General Administration (SC) Department.

The Public Relations Department.

Stock File/Office Copy.