



GOVERNMENT OF KERALA

Abstract

Kerala Service Rules, Part III – Modifying the priority for nomination in Rule 71 for DCRG – Orders issued.

FINANCE (PENSION-B) DEPARTMENT

G.O.(P) No: 469/15/Fin

Dated, Thiruvananthapuram, 17.10.2015

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ORDER

As per Rule 90(6), Part III, Kerala Service Rules, the eldest of the children will receive family pension irrespective of sex in the order of priority. But the rules are discriminatory in the case of Death Cum Retirement Gratuity, wherever admissible, the sons will have a preferential claim over unmarried/divorced/widowed daughter.

2. Government have examined the matter in detail and are pleased to issue orders amending the priority now existed in Rule 71, Kerala Service Rules, Part III as follows:

Existing Rule 71	Modified Rule
a) Wife, in the case of a male employee;	(a) Wife, in the case of male employee;
b) Husband in the case of female employee;	(b) Husband, in the case of female employee;
c) Sons;	(c) Children;
d) Unmarried / divorced / widowed daughters;	(d) Father/mother;
e) Brothers below the age of 18 years and unmarried or widowed or divorced sisters;	(e) Brothers/sisters below the age of 18 years and unmarried or widowed or divorced sisters;
f) Father;	(f) Children of a pre-deceased son;

g) Mother; h) Married daughters; and i) Children of a pre-deceased son.	
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3. Government are also pleased to order that sub rules under Rule 67 and notes under 71, Part III, Kerala Service Rules stands modified as follows:

Existing Rules		Modified Rules
Rule 67(i)	If there are one or more surviving members of the family as in items (a), (b), (c) and (d) of Rule 71, it may be paid to all such members, other than any such member who is a divorced/widowed daughter in equal shares	If there are one or more surviving members of the family as in items (a), (b) and (c) of Rule 71, it may be paid to all such members in equal shares.
Rule 67(ii)	If there are no such surviving members of the family as at (i) above, but there are one or more surviving divorced/widowed daughters and/or one or more surviving members of the family as in items (e), (f), (g), (h) and (i) of Rule 71, it may be paid to all such members in equal shares.	If there are no such surviving members of the family as at (i) above, but there are one or more surviving members of the family as in item (d) in Rule 71, it may be paid to all such members in equal shares.
		Rule 67(iii) - If there are no such surviving members of the family as at (i) and (ii) above, but there are one or more surviving members of the family as in item (e) and (f) in Rule 71, it may be paid to all such members in equal shares.

Rule 67(iii)	In the absence of any surviving members of the family as defined in Rule 71, DCRG shall be paid to eligible legal heirs in equal shares on production of a succession certificate from a Court of Law.	Shall be renumbered as Rule 67(iv).
Note 1 below Rule 71	(c) and (d) will include step children, adopted children and posthumous children, (f) and (g) will include adoptive parents in the case of individuals whose personal law permits adoption.	(c) will include unmarried, married, divorced, widowed daughters/sons/step children /adopted children and posthumous children (d) will include adoptive parents in the case of individuals where personal law permits adoption.
Note 2 below Rule 71	(h) will include married adopted and/or step daughters.	Deleted

4. These orders will take effect in the cases where death occurs on or after 01.01.2016.

5. Formal amendment to relevant of Kerala Service Rules Part III will be issued separately.

By Order of the Governor,
Dr. K. M. ABRAHAM
Additional Chief Secretary (Finance).

To

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram
The Accountant General (A&E), Kerala, Thiruvananthapuram
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All Departments (All Sections) of the Secretariat including Law Department.
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The Secretary, Kerala State Electricity Board, Thiruvananthapuram (with CL)

The Managing Director, KSRTC, Thiruvananthapuram (with CL)
The Managing Director, Kerala Water Authority, Thiruvananthapuram (with CL)
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