



GOVERNMENT OF KERALA

Abstract

Reckoning of aided school service for pension– Clarification Orders issued.

FINANCE (PENSION - B) DEPARTMENT

G.O(Ms)No.401/2019/Fin Dated,Thiruvananthapuram, 28/10/2019.

Read:-1)G.O (P) No: 47/2018/Fin dated 21.03.2018.
2)G.O(P) No. 128/2018/Fin dated 10.08.2018,
SRO-572/18 dated 13.08.2018.
3)Judgement of the Hon'ble High Court dated 14/08/2017 in
WP(C)30167/2016 filed by Sri.Sabu Mathew & Others
4)Judgement dated 04/07/2019 in WA 1235 of 2018 and
20 connected cases
5)Letter no.P1/Unit-4/FID 2101787036/0484
dated 23/10/2019 from the AG(A&E), Thiruvananthapuram
6)D.O letter no.311563/Pen-B2/26/2016/FIN
dated 15.10.2019.

ORDER

As per order read 1st above, Government ordered that the broken spells of provisional service/leave vacancy service rendered by regular aided college staff or regular aided school staff/Government employees, prior to their entry in regular service shall not be reckoned as qualifying service w.e.f. 01.06.2016.

As per order read 2nd above amendment has been made in rule 14E of Part III KSR to the effect that only regular full time aided school service rendered after the introduction of Direct Payment System in aided school shall be reckoned for pension. The writ appeal filed by Government restricting the above provision up to 01.06.2016

was dismissed by Hon'ble High Court in a common judgement dated 04/07/2019 in WA 1235 of 2018 and 20 connected cases read above. The AG(A&E) has informed that CC(C) of 2018 in WP(C)30167/2016 has been filed in the High Court by Sri. Sabu Mathew & another alleging non compliance of the judgement dated 14/08/2017. Direction was issued to the Head of Departments concerned that those who retire prior to the issuance of the aforesaid amendment (ie: retired before 01.08.2018) are eligible to reckon the broken/leave vacancy period for pensionary benefits. But certain doubts have been raised regarding reckoning of broken spells of aided school service.

Government after examining the matter are pleased to clarify that "the broken spells of provisional service/leave vacancy service rendered by regular aided school staff/Government employees, in aided schools prior to their entry in regular service shall not be reckoned as qualifying service w.e.f 10.08.2018."

The judgement of the Hon'ble High Court thus stands complied with.

(By Order of the Governor)
SANJEEV KAUSHIK IAS
PRINCIPAL SECRETARY(FINANCE)

To

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

The Principal Accountant General (G&SSA),
Thiruvananthapuram.

The Accountant General (E&RSA), Thiruvananthapuram.

The Advocate General, Kerala, Ernakulam.

The Director of General Education, Jagathy,
Thiruvananthapuram.

The Director of Collegiate Education, Vikas Bhavan, Palayam,
Thiruvananthapuram.

The Senior Finance Officer, Directorate of Higher Education,
Thycaud, Thiruvananthapuram.

The Director of Technical Education, Thiruvananthapuram.

The Deputy Director General, Vocational Higher Secondary
Education, Thiruvananthapuram
Liaison Officer, Office of the Advocate General, Kerala,
Ernakulam,
The Nodal officer, www.finance.kerala.gov.in
Stock File / Office Copy (Pen-B2/26/2016-Fin (E-311563)).

Forwarded/By Order

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a long, sweeping horizontal line that curves upwards at the end.

Section Officer