

**Kerala Gazette No.51 dated 29<sup>th</sup> December 1964.**  
**PART I**

**GOVERNMENT OF KERALA**

**Abstract**

**RULES – KERALA SERVICE RULES – AUTHORITY FOR ORDERING  
REDUCTION IN PENSION – AMENDMENT TO RULE 67, PART III – ISSUED.**

**FINANCE DEPARTMENT**

**G.O.(P) 820/64/Fin.**

**Dated, Trivandrum, 22<sup>nd</sup> December, 1964.**

Read:- (1) Letter No.PR/G1/6-44/Vol.9/2359 dated 22-10-1964 from the Accountant General.

**ORDER**

According to the provision contained in rule 67 (b) Part III Kerala Service Rules the authority sanctioning the pension is empowered to make such reduction in the amount of pension as it thinks proper if the service has not been thoroughly satisfactory. In the absence of a specific provision in the rule, the question came up for consideration whether the officer affected should be given an opportunity of being heard before taking a final decision in the matter. After careful consideration it has been decided that in such cases the person affected should be given an opportunity of being heard to satisfy the principles of natural justice. The power of reducing the pension under this rule will however be reserved with Government.

The orders will have effect from the date of issue.

**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 amendment to the Kerala Service Rules.

**AMENDMENTS**

C.S.No.42/64/Fin.

*Dated, Trivandrum, 22<sup>nd</sup> December 1964.*

In Part III of the said rules

- (i) for Note I under rule 67 (b) the following note shall be substituted, namely:-

“Note 1: Government may review its orders if the affected officer makes a request within a period of three months from the date of the orders”.

(II) Note 2 shall be deleted and Note 3 re-numbered as Note 2.

**RULINGS**

- 1 The power to reduce the pension under this rule has not been delegated by Government to subordinate authorities.
- 2 If a subordinate authority considers that it is open to question whether the full pension admissible under rules should be granted to an officer owing to his unsatisfactory character and conduct the pension application shall be submitted to the Government for orders with a concise statement of the unfavorable circumstances appearing against that Officer and a sufficient

explanation thereof to enable the Government to form an opinion as to the propriety of reducing the pension.

- 3      Though rule 67 (b) does not provide for an enquiry before taking action, the person affected may be given an opportunity of being heard to satisfy the principles of natural justice. A detailed enquiry is not necessary for reducing the pension under this rule. But before ordering a reduction of pension, the Officer concerned may be given an opportunity to explain and vindicate himself as for instance when irregularities are detected after retirement and departmental proceeding are not feasible under rule 3 *ibid*.

By order of the Governor,  
C. THOMAS,  
Finance Secretary.

To

The Accountant General, Trivandrum.  
All Heads of Departments and Offices.  
All Departments and Sections of the Secretariat.  
The Registrar, High Court of Kerala (with C.L.)  
The Registrar, University of Kerala (with C.L.)  
The Secretary, Public Service Commission (with C.L.)  
All Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries,  
Under Secretaries and Assistant Secretaries to Government.  
The Secretary to the Governor.  
The Private Secretary to the Adviser.  
The Personal Clerk to the Chief Secretary.  
The Superintendent, Government Presses, Trivandrum.

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