



GOVERNMENT OF KERALA

**FINANCE (PENSION B) DEPARTMENT
CIRCULAR**

No.54/2013/Fin

Dated, Thiruvananthapuram 19/06/2013

Sub : Monetary effect of pensionary benefits consequent to reduction in punishment awarded earlier in a disciplinary proceedings-clarifications issued.

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Instances have come to the notice of Government where pensionary benefits/enhanced pensionary benefits are claimed retrospectively in view of reduction in the final outcome of an earlier disciplinary action. In various rules and provisions for disciplinary action in respect of State Government employees and teachers, a specific time period is stipulated for preferring appeal against a decision of the disciplinary authority. At the same time, there are provisions which enable the appellate authority to entertain appeal under certain circumstances after expiry of the period of limitation for filing appeals. Due to these provisions, a situation prevails where a punishment once awarded is liable to be modified in appeal any time later.

2. In these circumstances, it is clarified that when a decision in disciplinary proceedings is modified by the order in an appeal reducing the punishment after the date of retirement/dismissal/removal of the employee/teacher, pensionary benefits/enhanced pensionary benefits if any admissible, shall be given only from the date of order in the appeal reducing the earlier punishment. This shall be incorporated in the orders of the disciplinary authority as well as the appellate authority. All Pension Sanctioning Authorities/Appellate Authorities are directed to comply with the above instruction while issuing orders in this regard. All the cases already settled shall not be re-opened.

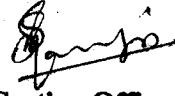
Dr.V.P.JOY
Principal Secretary (Finance)

To

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The Secretary, Kerala State Electricity Board, Thiruvananthapuram (with CL)
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