



# KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

---

Vol. LV	Thiruvananthapuram,	25th November 2010	
} ഖണ്ഡം 55	Thursday	2010 നവംബർ 25	No. } 2693
	തിരുവനന്തപുരം,	4th Aagrahayana 1932	നമ്പർ }
	വ്യാഴം	1932 അഗ്രഹായനം 4	

---

GOVERNMENT OF KERALA

Finance ( Rules-A ) Department

NOTIFICATION

G. O. (P) No. 629/2010/Fin. Dated, Thiruvananthapuram, 25th November, 2010.

**S. R. O. No. 1084/2010.**—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 ( Tenth Amendment ) Rules, 2010.

(2) Save as otherwise provided, it shall come into force at once.

2. *Amendment of the Rules.*—In Part I of the Kerala Service Rules, in rule 23, after sub-rule (b) the following sub-rules shall be inserted, namely:—

“(c) In the case of notional promotions back arrears of pay and allowances are not admissible.

(d) Promotions which do not involve change of duties, shall have effect from the date of occurrence of vacancy, or the date of acquiring eligibility for promotions, whichever is later, but monetary benefit shall be admissible only for a maximum period of one year prior to the date of order of promotion.”

This amendment shall be deemed to have come into force on 1st day of March, 2007.

By order of the Governor,

DR. A. K. DUBEY,

*Principal Secretary to Government.*

#### **Explanatory Note**

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

Notional promotions are generally ordered in the absence of vacant posts under exigencies of service consequent to retrospective revision of seniority, supersession of the senior by junior and also in compliance with Court directions. But as a vacant post is a must to claim pay and allowances, arrears of pay and allowances are not admissible consequent to notional promotion with retrospective effect. In order to make the rule position clear and to resist the claims of employees for back arrears in such cases, Government have decided to incorporate provision for non payment of back arrears in respect of notional promotion in Kerala Service Rules.

Sub-rule (c) of rule 23 of Part I of the Kerala Service Rules which permitted employees to enjoy the benefit of promotion to posts not involving change of duties with all monetary benefits from the date of occurrence of the vacancy irrespective of the date of order of promotion, was deleted vide notification issued as G.O. (P) No. 83/07/Fin. dated 1st March, 2007. As the employees are denied the benefit of retrospective fixation of pay on promotion to posts which

do not require assumption of charge, several service organisations have requested to restore the benefit. Government have examined the matter in detail and issued G.O. (P) No. 515/07/Fin. dated 19th October, 2007 to restore the benefit giving notional effect to such promotions from the date of occurrence of vacancy or the date of acquiring eligibility for promotion, but monetary benefit will be admissible only for a maximum period of one year prior to the date of order of promotion. In order to give statutory validity to the above, the Kerala Service Rules have to be amended.

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 and Sections of the Secretariat.

The Director of Treasuries, Thiruvananthapuram.

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

The General Manager, Kerala State Road Transport Corporation,  
Thiruvananthapuram.

The Registrar, High Court, Ernakulam (with C. L.).

The Registrar, University of Kerala/Kochi/Kozhikode/Mahatma Gandhi/  
Kannur/Sanskrit (with C. L.).

The Registrar, Kerala Lok Ayukta, Thiruvananthapuram.

The Registrar, Kerala Agricultural University, Mannuthi.

The Secretary, Ombudsman for Local Self Government Institutions  
Thiruvananthapuram.

The Advocate General, Kerala, Ernakulam (with C. L.).

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

All Principal Secretaries, Secretaries/Special Secretaries/Additional Secretaries/  
Joint Secretaries/Deputy Secretaries/Under Secretaries to Government.

The Secretary to Governor, Raj Bhavan.

The Private Secretary to Speaker/Deputy Speaker of the Legislative  
Assembly.

The Additional Secretary to the Chief Secretary.

The Secretary, Human Rights Commission, Thiruvananthapuram.

The Registrar Sree Sankaracharya Sanskrit University, Kalady (with C. L.).

The Private Secretary to Chief Minister and other Ministers.

The Private Secretary to Leader of Opposition.

The State Election Commissioner, Kerala, Thiruvananthapuram.

The State Chief Information Commissioner, Kerala, Thiruvananthapuram  
(with C. L.).

The Nodal Officer, [www.finance.kerala.gov.in](http://www.finance.kerala.gov.in)

The Stock File/Office Copy.