



**CERTAIN GOVERNMENT ORDERS ON THE
PENSION SCHEME For
STAFF OF NON-GOVERNMENT EDUCATIONAL INSTITUTIONS**

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EDUCATION DEPARTMENT.

CERTAIN GOVERNMENT ORDERS ON THE PENSION SCHEME FOR
STAFF OF NON-GOVERNMENT EDUCATIONAL INSTITUTIONS.

G.O. No. 208, 10th February 1971

(I) LIBERALISED PENSION SCHEME—EXTENDED TO NON-GOVERNMENT
SCHOOL TEACHERS FROM 1st JUNE 1970.

Pension—Pension for teachers in non-Government Schools—Liberalised Pension
Scheme applicable from 2nd October 1970—Orders issued.

Read—the following papers:—

G.O. Ms. No. 1614, Education, dated 30th August 1956.

G.O. Ms. No. 1109, Education, dated 31st May 1958.

G.O. Ms. No. 853, Education, dated 16th April 1962.

G.O. Ms. No. 2801, Education, dated 20th November 1962.

Order—No. 208, Education, dated 10th February 1971.

The Pay Commission has recommended that the existing triple benefit scheme (with Family Pension) for teachers in non-Government Schools may be replaced by the Liberalised Pension Scheme applicable in the case of Government servants providing for pension, Gratuity and Family Pension. The Government accept the recommendation. The recommendations of the Pay Commission came into force from 2nd October 1970. The Government therefore direct that all teachers in non-Government Schools including Elementary, Secondary, Special and Anglo-Indian Schools who were on the 1st October 1970 governed by the Contributory Provident Fund—Insurance Pension Rules for teachers in non-Government Service shall with effect from the 2nd October 1970 be governed by the Liberalised Pension Scheme applicable to State Government Servants from time to time. Teachers who retired before 2nd October 1970 shall continue to be governed by the existing triple benefit scheme.

2. No Government contribution to the Teachers' Provident Fund shall be paid in respect of teachers who are governed by the Liberalised Pension Rules now made applicable to teachers—*vide* paragraph 1 above. Insurance Scheme will not also be compulsory to such teachers.

3. Formal amendments to the Pension and Provident Fund Rules for teachers will be issued separately.

4. This order issues with the concurrence of Finance, *Vide* its U.O. Note No. 16933A/Pen./71-1, dated 10th February 1971.

(By order of the Governor.)

K. DIRAVIAM,
Secretary to Government.

To the Director of School Education, Madras-6.
.. Director of Collegiate Education, Madras-8.
.. Accountant-General, Madras-18.
.. Accountant-General, Madras-9 (CAS).
.. Pay and Accounts Officer, Madras-9.
.. Examiner of Local Fund-Accounts, Madras-1.
.. Commissioners of Municipal Councils (through Chairman).
.. Commissioners of Panchayat Union Council (through Chairman).
.. Commissioner, Corporation of Madras, Madras-3.
.. Director of Rural Development, Madras-1.
.. Director of Municipal Administration, Madras-1.
Copy to all Heads of Departments.
.. R. D. L. A., Fin., S. W. (I and F.) Departments,
.. Editor, Tamil Arasu, Madras-2.
.. Reporters' Board.

(Copy of G. O. Ms. No. 1245, Education, dated 20th July 1971.)

[Subject.—Pension for teachers in Educational Institutions under all managements—Government, Local Bodies and Aided—Applicability to those who retired in 1970-71 prior to 2nd October 1970—Instructions issued.]

ORDER.

The Pay Commission's recommendations regarding revision of scales of pay, pension and other benefits have been given effect to from 2nd October 1970. On behalf of the City Headmasters' Conference it has been represented to Government that, if the retirement benefits recommended by the Pay Commission are to be extended to teachers from 2nd October 1970, teachers who attained superannuation before that date but are in service on that date will lose the benefit of that concession by a narrow margin and so they have requested Government to take a liberal view and make the concession applicable to teachers who are in continuous service during the year 1970-71, irrespective of their technical dates of superannuation.

2. The Government have examined the above request. The Government consider that unlike other employees, teachers, when they attain superannuation in the course of the academic year, for all practical purposes are in service till the end of the academic year and therefore there is justification for treating teachers on a different footing from other employees in giving them concessions, which are not given to other employees. The Government also consider that a distinction has to be made between teachers who attained the age of 58 during the academic year 1970-71 and are re-employed till the end of the year, and those who attained the age of 58 years prior to 1970-71 and are in service due to the facility of employing them till they attain the age of 60. The Government are of view that the concession contemplated above can reasonably be only with reference to the former, as their continuance is in the interest of continuity in teaching. The latter group of re-employed teachers must not be extended this concession, as it would amount to unfair discrimination in so far as they are not different from re-employed Government servants to whom a similar concession is not shown.

3. The Government therefore direct that the retirement benefits as recommended by the Second Pay Commission be extended to the teachers who retired from service from schools on or after 1st June 1970. * The Government also direct that this benefit be extended to all teachers under all managements—Government, Local Bodies and aided. The teachers who retired during the period from 1st June 1970 to 1st October 1970 will not however be eligible to draw revised scales of pay recommended by the Second Pay Commission. They will however be entitled for pension and other retirement benefits recommended by the Second Pay Commission, as a special case, at such rates, as would be admissible to them had their pay been refixed according to the revised scales of pay 1970, the retirement benefits being calculated with reference to the Liberalised Pension Rules. The pension bonus if any, drawn after 2nd October 1970 by any teacher benefited by this order, shall be recovered from him.

4. This order issues with the concurrence of Finance Department *vide* its U.O. No. 4338/PC. IIIB/71-i, dated 21st April 1971.

(By order of the Governor.)

K. DIRAVIAM,
Secretary to Government.

*“and are re-employed till the end of the School year 1970-71” deleted in G.O. Ms. No. 2014, Education, dated 21st December 1972.

(Copy of G.O. Ms. No. 2014, Education, dated 21st December 1972.)

The intention of the Government is that all teachers who retired from schools on or after 1st June 1970 no matter whether they were reemployed or not after retirement should get the benefit accorded in G.O. Ms. No. 1245, Education, dated 20th July 1971. Hence the following amendment is issued to the said order.

AMENDMENT.

In paragraph 3 of the said order the following clause occurring at the end of the first sentence shall be deleted :—

“and are reemployed till the end of the school year 1970-71-”. In view of this amendment, all the 7 categories of persons mentioned by the Accountant-General in his letter, dated 19th October 1971 will be eligible for the benefits sanctioned in G.O. Ms. No. 1245, Education, dated 20th July 1971.

2. In paragraph 2 of the G.O. Ms. No. 1245, Education, dated 20th July 1971 while making reference to the age of superannuation, “58 years” alone was mentioned and no mention was made about ‘60 years’ which was the age of superannuation for Aided Elementary Schools and Anglo-Indian Schools during the period 1st June 1970 to 1st October 1970. The Accountant-General is correct in presuming that all the benefits mentioned in the G.O. will apply to teachers whose age of superannuation was 60 years under the rules and who attained that age between 1st June 1970 and 1st October 1970.

(With reference to Memorandum No. 76643/N2/73-7 Education dated 31st December 1975 following category of teachers is also eligible for the benefits :

Teachers who were working in Aided Secondary Schools which had adopted 60 years as the age of superannuation (as recorded in the Service Books or other records) and who retired after attaining the said age of superannuation of 60 on or after 1st June 1970.

3.

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4. Teachers retiring between 1st June 1970 and 1st October 1970 and who are covered by G.O. Ms. No. 1245 of 1971, are not eligible for Government Contribution to Provident Fund and the Government contribution, if any, already paid can be recovered from the Death-cum-Retirement Gratuity payable.

5. The following presumptions expressed by the Accountant-General are also confirmed :—

(i) New scales of pension for Government Servants were laid down in the Annexure to G.O. Ms. No. 228, Finance, dated 8th February 1971. The scale of pension laid down in the Schedule to that Order can be applied in the case of teachers, who retired on or after 1st June 1970 but before 2nd October 1970.

(ii) The following rates of Family Pension as laid down in paragraph 2 (iii) of the G.O. Ms. No. 228, Finance, dated 8th February 1971 can be applied in the case of the above teachers.

Pay.	Rate of Family Pension.	Minimum or Maximum.
(1)	(2)	(3)
1 Below Rs. 200	30 per cent of pay.	Minimum Rs. 50.
2 Rs. 200 and above but below.	15 per cent of pay.	Minimum Rs. 60.
3 Rs. 800 and above	12 per cent of pay.	Maximum Rs. 300 and Minimum Rs. 120,

(iii) In the case of these teachers, it will suffice if an amount equal to one month's pay is deducted from the Death-cum-Retirement Gratuity vide paragraph 2 (IV) of G.O. Ms. No. 228, Finance, dated 8th February 1971. *

K. DIRAVIAM,
Secretary to Government.

*The sentence—"The deduction may be made with reference to the revised scales of pay to be nationally fixed" has been deleted in view of G.O. Ms. No. 95, Education, dated 21st January 1974.

(Copy of G.O. Ms. No. 95, Education, dated 21st January 1974.)

[*Subject*—Pension to teachers in Government as well as non-Government Schools—Those who retired on or after 1st June 1970 but before 2nd October, 1970—Extension of benefits of (i) notional fixation of pay in Revised scales of pay for purposes of retirement benefits only and (ii) calculation of retirement benefits with reference to Liberalised Pension Rules—Certain modification—Orders—Issued.]

ORDER.

With reference to G.O. Ms. No. 1245, Education, dated 20th July 1971 as amended in G.O. Ms. No. 2014, Education dated 21st December 1972, teachers in Schools under all kinds of managements (Government, Local Body and Aided) who retired during the period from 1st June 1970 to 1st October 1970 (both the days inclusive) are eligible for retirement benefits, at such rates, as would be admissible to them, had their pay been refixed according to the revised scales of pay 1970, the retirement benefits being calculated with reference to the Liberalised Pension Rules. The Pension bonus, if any, drawn after 2nd October 1970 by any teacher benefited by that Order, shall be recovered from him.

2. Teachers in Government Service have all along been governed by the Liberalised Pension Rules and therefore the benefits conferred by the above orders on teachers in schools under various kinds of managements who retired during 1st June 1970 to 1st October 1970 can be listed as follows :

<i>Benefit.</i>	<i>Liability.</i>
(1)	(2)
A. Teachers retiring from Government Schools during the period from 1st June 1970 to 1st October 1970.	
(1) When calculating average pay for the last twelve months prior to retirement the pay for the periods after 1st June 1970 will be with reference to Revised scales.	Not eligible for exgratia bonus (Maximum Rs. 100)
(2) The new rates of Pension and Family Pension sanctioned from 2nd October 1970 can be applied to them though they retired before 2nd October 1970.	

*Benefit.**Liability.*

B. *Teachers retiring from Non-Government (Local Body and Aided) Schools during the period from 1st June 1970 to 1st October 1970.*

(1) When calculating average pay for the last twelve months prior to retirement, the pay for the periods after 1st June 1970 will be with reference to Revised scales.

(2) The new rates of Pension and Family Pension sanctioned from 2nd October 1970 can be applied to them though they retired before 2nd October 1970.

(3) Can get pension under Liberalised Pension Rules (at the rates of 30/80 of average emoluments, for full qualifying service), as against the rate of only 30/120 under Pension Rules for teachers under non-Government Service.

1. Not eligible for exgratia Pension Bonus (Maximum Rs. 100)

2. Teachers retiring from Aided Schools not eligible to get Government contribution to the "Provident Fund for staff of Aided Educational institutions".

3. The benefits of A (1) and B (1) above have meant that, out of two teachers in similar circumstances, one who retired during the period 1st June 1970 to 1st October 1970 will get a higher quantum of pension than the other who retired on or after 2nd October 1970 (because the average emolument will work out to a higher figure in the case of the former)—Vide the following illustration :

Retirement on 30th September 1970—

Average emoluments period from 1st October 1969 to 31st May 1970 :—pay in old scale.

Average emoluments period from 1st June 1970 to 30th September 1970 :—

Pay in new scale (i.e., with the national pay in Revised scale for a period of a months).

Retirement after 2nd October 1970 (Notional pay not admissible).

Date of retirement 10th October 1970.

Average emolument period 11th October 1969 to 10th October 1970—

11th October 1969 to 1st October 1970 :—Old scale only.

2nd October 1970 to 10th October 1970 :—New scale, only for a period of 8 days.

It is considered that such a differential treatment is not justified. The Government therefore direct that the benefits mentioned in item A (1) and B (1) in paragraph 2 above may be treated as cancelled. The question of refixation of pay of the retired teachers in question in the revised scales for the period from 1st June 1970 till the respective date of retirement prior to 2nd October 1970 does not arise. The teachers who retired during the period from 1st June 1970 to 1st October 1970 will be deemed to have retired on 2nd October 1970 for the limited purpose of getting the benefits mentioned in item A (2) and in items B (2) and (3) in paragraph 2 above.

K. DIRAVIAM,
Secretary to Government.

(Copy of letter No. 59264, F1-7/-6, Education, dated 30th February 1971.)

{Subject.—Pension—Pension for teachers in non-Government Schools—Liberalised Pension Scheme applicable from 1st June 1970—Clarifications issued.}

Reference.—Your letter PVIII/T1/3-26/71-72/276, dated 3rd August 1971.

The following clarifications are issued in regard to the various points raised by you in your letter cited :—

(i) The provisions of the New Family Pension Rules, 1964 as amended from time to time are also to be applied to teachers of non-Government schools, who retire or die in service on or after 2nd October 1970. The admissibility of Family Pension Scheme (1964) is automatic excepting as provided for in the Family Pension Rules.

(ii)

* * *

(iii) In respect of teachers retiring from non-Government schools on or after 1st June 1970, the qualifying service should be reckoned in terms of completed six monthly periods of service since the rates in Madras Liberalised Pension Rules are given in terms of six monthly periods only.

(iv) The broken spells of service (subject to certificates issued by the sanctioning authorities under Rule 10 (b) of the non-Government Teachers' Pension Rules) can continue to be counted as heretofore and the qualifying service should be regulated with reference to the existing non-Government Teachers' Pension Rules.

(v) No existing teacher is likely to opt to continue to be governed by the existing Triple Benefit Scheme, since the Liberalised Pension Rules are far more liberal than the former. Hence no option is to be permitted.

(vi) The orders extending Liberalised Pension Rules are not applicable to the teachers who had retired before 1st June 1970 and are re-employed on or after 1st June 1970.

(vii) The age of retirement will be reckoned as heretofore (with reference to the existing orders governing the age of retirement in non-Government schools).

(viii) In cases where the Government contributions to Teachers' Provident Fund have already been paid, but who are now governed by the (New) Liberalised Pension Rules, the amount paid can be recovered from the DCR Gratuity amount that may now become due to them.

[Copy of letter (Ms.) No. 29610/F1/71-10, Education dated 14th February 1972].

Reference.—1. Your letter Nos. DA25/TPE-111/96, dated 27th April 1971, 178, dated 7th May 1971 and 259, dated 2nd December 1971.

2. From the Director of School Education letter RC. No. 85823/PD 8/71, dated 8rd December 1971.

I am directed to refer to your letters cited and to state as follows :—

(2) According to paragraph 2 of G.O. Ms. No. 208, Education, dated 10th February 1971, no Government contribution to Teachers' Provident Fund will be paid in respect of teachers, who are governed by the Liberalised Pension Rules, with effect from

2nd October 1970. Hence, Government contribution paid to Teachers' Provident Fund in respect of teachers, who quit the Fund on or after 2nd October 1970, should be recovered, as such teachers retiring on or after 2nd October 1970 are governed by the Liberalised Pension Rules.

(3) In respect of cases of teachers who had put in part of their service in management schools and then joined Government/Panchayat Union Schools and in whose cases Government contribution has already been authorised (by the Accountant-General) whether it is the intention of Government that Government contribution should be refunded to Government as under the present orders the service under management schools has also become pensionable :—

Government contribution paid in respect of teachers in aided schools should be refunded to Government, as such teachers' service after joining the Government Schools or District Board Schools or Panchayat Union Schools will count for pension as per the rule 10 (d) of Teachers' Pension Rules.

(4) The G.O. is applicable only to teaching staff in non-Government schools, and not to non-teaching staff in those schools.

(5) Whether in cases of teachers now brought over to liberalised pension scheme, the management contribution already made by the management up to 31st March 1964 or 31st May 1965 (according as to whether the school is a High School or an Elementary School respectively) which now stands to the credit of the teachers will be allowed to stand as such :—

In as much as the Liberalised Pension Scheme has been introduced, the contribution made by the management up to 31st March 1964 or 31st May 1965, which now stands to the credit of the teacher will not be allowed to stand as such, but will be credited to Government account.

(6) What type of Provident Fund (similar to Provident Fund for State Government employees) will be applicable to such teachers and whether the amount at the credit of subscribers in post office savings bank pass book will continue in Post Office Savings Bank or whether the balance is proposed to be withdrawn and credited to Government to be merged with their Provident Fund Account :—

General Provident Fund Rules applicable to State Government servants may be made applicable to Aided School teachers also and the amount at the credit of the Subscriber (Teacher) in Post Office Savings Bank Account may be withdrawn and credited to Government Accounts (to be merged with their Provident Fund Account).

2. The question of introducing General Provident Fund in the place of Teachers Provident Fund will be examined separately.

(Copy of letter No. 92263/F1/71-5, Education, dated 5th May 1972.)

In continuation of Government letter No. 59264/F1/71-6, Education, dated 30th October 1971, the Government issue the following clarifications :—

Point No. IX.—The entire debit on account of the introduction of M.L.P.R.'s to teachers in non-Government schools will be borne by the Government of Tamil Nadu. Separate detailed head of accounts may be opened for accommodating the expenditure under Liberalised Pension Rules for teachers in non-Government schools for the items (i) Pension, (ii) DCR Gratuity and (iii) Family Pension.

Point No. X.—According to note 1 to Rule 12 of the Teachers' Pension Rules, the terms "emoluments" and "average emoluments" refer to the "actual pay drawn". Where, however, the actual pay drawn is in excess of the maximum of the

Government scale, the maximum of the Government scale should be taken into account. Similarly, if the increments allowed by the management are more favourable than those prescribed in the Government scale of pay, the rates of pay actually drawn, so long as they are within the maximum of the scales of pay prescribed by the Government should be taken into account. Your presumption that the above restriction of the pay-drawn to the maximum of Government scale of pay will continue to apply even under the Liberalised Pension Rules is confirmed.

(II) QUANTUM OF PENSION, MINIMUM PENSION, PENSIONERS' DEARNESS ALLOWANCE, PROVISIONAL PENSION, PAYMENT BY MONEY ORDER, ETC.

[Copy of G.O. Ms. No. 601, Finance (Pension), dated 27th April 1974.]

[Subject.—Death-cum-Retirement Benefit—Certain recommendations of the Third Central Pay Commission—Orders issued.]

With effect from 1st January 1973 the rates of Pension and Death-cum-Retirement Gratuity applicable under Liberalised Pensioned Rules are as follows :—

Pension :

The maximum qualifying service for earning pension shall be enhanced from 30/80 of average emoluments for 50 six-monthly periods of qualifying service to 33/80 of average emoluments for 60 six-monthly periods of qualifying service. The amounts of superannuation, invalid and compensation gratuity or the pension shall be the amount set out in Schedule.

Death-cum-Retirement Gratuity :

The existing maximum limit of '15 times the emoluments' shall be raised to '16½ times the emoluments' as set out in Schedule.

In the case of those retiring on or after 1st January 1974, the Pension shall be worked out on the basis of the average emoluments drawn during the last ten months of their service before retirement [G.O. Ms. No. 1, Finance (Pension), dated 2nd January 1974.]

SCHEDULE

<i>Completed six monthly periods of qualifying service.</i>	<i>Scale of pension n/80 of average emoluments.</i>	<i>Amount of gratuity. emoluments for n/months</i>
(1)	(2)	(3)
10	..	3.00
11	..	3.30
12	..	3.60
13	..	3.90
14	..	4.20
15	..	4.50
16	..	4.80
17	..	5.10

<i>Completed six monthly periods of qualifying service.</i>	<i>Scale of pension. n/80 of average emoluments.</i>	<i>Amount of Gratuity. emoluments for n/months.</i>
(1)	(2)	(3)
18	..	5.40
19	..	5.70
20	15/80	6.00
21	15.50/80	6.30
22	16/80	6.60
23	16.50/80	6.90
24	17/80	7.20
25	17.50/80	7.50
26	18/80	7.80
27	18.50/80	8.10
28	19/80	8.40
29	19.50/80	8.70
30	20/80	9.00
31	20.50/80	9.30
32	21/80	9.60
33	21.50/80	9.90
34	22/80	10.20
35	22.50/80	10.50
36	23/80	10.80
37	23.50/80	11.10 ⁰
38	24/80	11.40
39	24.50/80	11.70
40	25/80	12.00
41	25.50/80	12.30
42	26/80	12.60
43	26.50/80	12.90
44	27/80	13.20
45	27.50/80	13.50
46	28/80	13.80
47	28.50/80	14.10
48	29/80	14.40
49	29.50/80	14.70
50	30/80	15.00
51	30.3/80	15.15
52	30.6/80	15.30
53	30.9/80	15.45
54	31.2/80	15.60
55	31.5/80	15.75
56	31.8/80	15.90
57	32.1/80	16.05
58	32.4/80	16.20
59	32.7/80	16.35
60	33/80	16.50

(Copy of Memorandum No. 91356/C2/73-5, Education, Dated: 9-4-75.)

[Subject:—Pension—Staff retiring from non-Government Educational institutions— Scales of pay of certain categories of posts revised retrospectively from 2-10-70 - Counting of undrawn pay for purposes of Pension, etc.]

- Ref: 1. From the Examiner of Local Fund Accounts, L. Dis. 25691/73 E2 dt. 29-5-73
2. From the Director of Municipal Administration, L. Dis. 42164/73 K3 dt. 21-6-73.
3. From the Director of School Education, 274926/B2/73 dt. 10-12-74.

The Government have already clarified that all benefits extended to Government servants from time to time under the Liberalised Pension Scheme shall automatically apply to the staff of non-Government educational institutions, who have been brought under the Liberalised Pension scheme. Hence the benefit of G. O. Ms. No. 774/Finance [Pension] dated. 18-6-73 shall also apply to them.

S. SRINIVASA BABU,
Deputy Secretary to Government.

(Copy of G.O.Ms. 774, Finance, dated the 18th June 1973.)

PENSION—Revision of scales of pay for certain categories with effect from 2-10-70—Counting of undrawn pay for purposes of Pension and Death—Retirement Gratuity—orders Issued.

1. From the Director of Treasuries and Accounts Rc. A4. 5817/73, dated 10-2-73.

ORDER.

On the recommendation of the Second Tamil Nadu Pay Commission, Government have sanctioned revised scales of pay with effect from 2-10-1970. Subsequently on the basis of the report of the 'one Man Committee' and the representations from Government servants, Government have further revised the pay of certain categories of post with, effect from 2-10-70 but decided to give monetary effect only from 1st September and 1972 (i. e. pay for September '72 payable in October 1972). The Director of Treasuries and Accounts, Madras has raised the following points:—

- (i) Whether the pay of Government servants who retired from service on or after 2-10-'70 but before 1-9-72 may be refixed in the revised scale, and
- (ii) Whether the benefit of the revised scale of pay can be taken into account from 2-10-70 for purpose of pension and gratuity even though the monetary benefit has been allowed only from 1-9-72.

2/- Government have examined the points raised by the Director of Treasuries and Accounts and direct that the pay of Government servants who retired on or after 2-10-70 including those who retired prior to 1-9-72 be refixed in the revised scales and the benefit of counting undrawn pay for purposes of pension, Death-cum-Retirement Gratuity and family Pension allowed to them. In respect of Government servants who retired on or after 2-10-70 but before 1-9-72 the enhanced rates of pension and gratuity admissible consequent on the notional fixation in the revised scales of pay shall be payable only with effect from 1-9-72 (i. e. pension for September, 1972 payable in October, 72.)

K. VENKATESAN,
Secretary to Government [in charge]

MINIMUM PENSION.

(Copy of G.O. Ms. No. 490, Education, dated 7th April 1972.)

[Subject:—Pension—Minimum Monthly Pension for Teachers in non-Government Service raised from Rs. 30 to 40.]

ORDER.

In G.O. Ms. No. 1684, Education, dated 5th October 1970, the Government decided that the retired teachers of non-Government educational institutions, who were in receipt of superannuation, retiring, compensation or invalid pension of less than Rs. 30 p.m. would be eligible to draw a minimum pension of Rs. 30 p.m. from March 1970, payable in April 1970. This minimum pension is on a par with the minimum pension sanctioned to the retired State Government Servants.

2. In G.O. Ms. No. 525, Finance, dated 6th April 1972, the Government have decided that with effect from 1st April 1972, i.e., Pension for April 1972, payable on 1st May 1972, the existing and future pensioners of Tamil Nadu State Government who are or will be in receipt of superannuation, retiring, compensation or invalid pensions of less than Rs. 40 per mensem, will be eligible to draw a minimum pension of Rs. 40 per mensem.

3. The Government have decided that the benefit now conferred on retired State Government servants should be extended to the teachers of non-Government educational institutions also (Aided Schools and Colleges under the control of private managements and local bodies) and they, accordingly, direct that the teachers in non-Government educational institutions, who are in receipt of superannuation, retiring, compensation or invalid pension of less than Rs. 40 per mensem be increased to Rs. 40 per mensem with effect from 1st April 1972, i.e., the pension for April 1972 payable on 1st May 1972. It is clarified that the teachers, who are governed either, by the Teachers Pension Scheme or by the Liberalised Pension Scheme will be eligible to the minimum pension now sanctioned.

4. In deciding on the eligibility for the benefit of minimum pension, the temporary increase and the commuted portion of pension, if any, should also be taken into account.

5. The increase of pension allowed with effect from 1st April 1972, shall not be paid during the period of re-employment.

K. DIRAVIAM,
Secretary to Government.

(Copy of G.O. Ms. No. 1040, Education, dated 12th June 1973.)

[Subject.—Pension—Minimum monthly Pension for teaching and non-teaching staff of Aided Schools—Raised from Rs. 40 to 50—Orders issued.]

2. In G.O. Ms. No. 578, Finance, dated 5th May 1973, the Government have decided that with effect from 1st April, 1973, i.e., pension for April 1973 payable on 1st May 1973, the existing and future pensioners of Tamil Nadu State Government who are or will be in receipt of superannuation, retiring, compensation or invalid pensions of less than Rs. 50 p.m., will be eligible to draw a minimum pension of Rs. 50 per mensem.

3. The benefit now conferred on retired State Government servants will apply also to (i) the teachers of non-Government (i.e., Aided and Local Body) educational institutions (including Aided Colleges) and (ii) to non-teaching staff of Aided Schools to whom the benefit of pension has been extended in G.O. Ms. No. 627, Education, benefit of pension has been extended in G.O. Ms. No. 627, Education, dated 11th May 1972. The monthly pension of individuals belonging to these two categories, than Rs. 50 per mensem will be increased to Rs. 50 (Rupees fifty) per mensem with effect from 1st April 1973, i.e., the pension for April 1973 payable on 1st May 1973. It is clarified that the teachers and the non-teaching staff of schools governed by the non-Government Teachers' Pension scheme as well as those governed by the Liberalised Pension Scheme, will be eligible to the minimum pension increase now sanctioned.

4. In deciding on the eligibility for the benefit of minimum pension, the temporary increase and the commuted portion of pension, if any, should also be taken into account.

5. The increase of pension allowed with effect from 1st April 1973, shall not be paid during the period of re-employment.

K. V. BALAGOPALAN,
Deputy Secretary to Government.

DEARNESS ALLOWANCE TO PENSIONERS.

(Copy of G.O. Ms. No. 639, Finance (Pension), dated 3rd May 1972.)

[Subject.—Pension—Grant of dearness allowance to pensioners—Orders issued.]

ORDER.

The Second Tamil Nadu Pay Commission had recommended that in order to provide relief due to increase in the cost of living, the Government should implement a scheme for sanction of dearness allowance to pensioners at rates equal to one-half of what had been sanctioned to Government servants of corresponding pay ranges. The Government have accepted the recommendation of the Pay Commission.

2. In their order Ms. No. 535 Finance, dated the 7th April 1972, the Government have sanctioned the grant of an increase in the existing rates of dearness allowance at a flat rate of Rs. 10 to all Government servants in receipt of pay up to and inclusive of Rs. 999 per mensem. The Government therefore direct that an amount of Rs. 5 (Rupees five only) per mensem be paid as dearness allowance to all pensioners, present and future of the Tamil Nadu State Government who are or will be in receipt of superannuation, retiring, compensation or invalid pension. The dearness allowance is admissible to Teacher pensioners also i.e., those who retired from non-Government (Aided and Local body) educational institutions including aided colleges. This dearness allowance will not be admissible to those pensioners who have been benefited by Rs. 5 or more, as a result of the increase of minimum pension to Rs. 40 per mensem, ordered in G.O. Ms. No. 525, Finance (Pension), dated the 6th April 1972. In the case of such pensioners as have drawn a benefit of less than Rs. 5 per mensem as a result of the increase of minimum pension, the dearness allowance payable will be that amount which together with the benefit referred to will make up to an amount of Rs. 5 per mensem.

3. The dearness allowance sanctioned in paragraph 2 above shall be paid along with the pension for April 1972 payable on 1st May 1972. It shall not be allowed during the period of re-employment.

K. VENKATESAN,
Secretary to Government (in-charge).

(Copy of G.O. Ms. No. 579, Finance (Pension), dated 8th May 1973).

[Subject.—Pension—Grant of dearness allowance to pensioners—Orders—Issued.]

READ—the following papers :—

G.O. Ms. No. 627, Education, dated 19th April 1973.

ORDER.

2. In G.O. Ms. No. 300, Finance (All.), dated 9th March 1973, Government have sanctioned with effect from 1st April 1973 the grant of an increase in the existing rates of dearness allowance at a flat rate of Rs. 10 to all Government servants in receipt of pay up to and inclusive of Rs. 999 per mensem. Government therefore direct that an amount of Rs. 5 (Rupees five only) per mensem be paid as dearness allowance to all pensioners present and future of the Tamil Nadu Government who are or will be in receipt of superannuation, retiring, compensation or invalid pensions. The dearness allowance is admissible to teacher pensioners also, i.e., those who retired from non-Government (aided and local body) educational institutions including aided colleges. This dearness allowance will not be admissible to those pensioners who have been benefited by Rs. 5 or more as a result of the increase of minimum pension to Rs. 50 per mensem ordered in G.O. Ms. No. 578, Finance, dated 8th May 1973. In the case of such pensioners as have drawn a benefit of less than Rs. 5 per mensem as a result of the increase of minimum pension, the dearness allowance payable will be that amount which together with the benefit referred to will make upto an amount of Rs. 5 per mensem—*Vide* illustration in annexure.

3. The dearness allowance sanctioned in paragraph 2 above shall be paid in a lumpsum along with the pension for September 1973 payable in October 1973 and thereafter along with the monthly pension.

*4. These orders shall also apply to the following categories of pensioners :—

(i) Former Travancore-Cochin State pensioners drawing their pensions on 1st November 1956 in the treasuries situated in the areas transferred to Tamil Nadu State on that date (i.e., Kanyakumari district and Shencottah taluk).

(ii) Pensioners drawing their pensions on 1st April 1960, in the Tiruttani Sub-Treasury in whose cases pensions were sanctioned by the Composite Madras State before 1st October 1953 or by the Andhra Pradesh State prior to 1st April 1960.

(iii) Ex-Pudukottai State pensioners.

**5. These orders will not apply to the following categories of pensioners :—

(i) Pensioners who have been re-employed.

(ii) Those in receipt of Family pension, Extraordinary pension and Compassionate Allowances.

(iii) Those drawing provisional pension.

(iv) All India Service Pensioners.

(By order of the Governor.)

K. VENKATESAN,
Secretary to Government (in-charge).

*and** : These principles were applicable also to the Dearness Allowance sanctioned in G.O. Ms. 639, Finance, dated 3rd May 1972.

ANNEXURE.

1)	Existing rate.			Revised rate.			To be paid now. (8)	To be paid in October 1972. (9)
	Pension. (2)	Dearness Allowances. (3)	Total (4)	Pension. (5)	Dearness Allowances. (6)	Total (7)		
Those who were drawing prior to 1st April 1972.								
RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.	RS.
31	40	..	40	50	..	50	50	..
32	40	..	40	50	..	50	50	..
33	40	..	40	50	..	50	50	..
34	40	..	40	50	..	50	50	..
35	40	..	40	50	..	50	50	..
36	40	1	41	50	..	50	50	..
37	40	2	42	50	..	50	50	..
38	40	3	43	50	..	50	50	..
39	40	4	44	50	..	50	50	..
40	40	5	45	50	..	50	50	..
Those now drawing basic pension of								
RS.								
41	41	5	46	50	1	51	50	1
42	42	5	47	50	2	52	50	2
43	43	5	48	50	3	53	50	3
44	44	5	49	50	4	54	50	4
45	45	5	50	50	5	55	50	5
46	46	5	51	50	6	56	51	5
47	47	5	52	50	7	57	52	5
48	48	5	53	50	8	58	53	5
49	49	5	54	50	9	59	54	5
50	50	5	55	50	10	60	55	5
51	51	5	56	51	10	61	56	5

RE-EMPLOYMENT PAY ON OR AFTER 2ND OCTOBER 1970.

(Copy of G.O. Ms. No. 630, Education, dated 11th May 1972.)

SUBJECT.—Pension—Teachers'—Fixation of pay of re-employment teachers who retired before 2nd October 1970 and are continued to be under re-employment on or after 2nd October 1970—Instructions—Issued.

READ—the following Papers :—

G.O. Ms. No. 2027, Education, dated 4th August 1962.

From the Accountant-General, Madras-18, letter PVIII/TT/Misc./284, dated 11th August 1971.

ORDER.

In their order Ms. No. 211, Education, dated 10th February 1971, the Government have laid down *inter alia* that the procedure for fixation of pay of Teachers in non-Government service (aided and local bodies) should be the same as for Government staff. The Accountant-General, Madras, has sought clarifications as to how the pay of such teachers, who retired prior to 2nd October 1970 and who are re-employed on or after 2nd October 1970, has to be fixed during the periods of re-employment.

2. The Government direct that in such cases, the pay on re-employment should be regulated in accordance with the instructions issued in G.O. Ms. No. 1512, Finance (Pay Commission), dated 22nd October 1971 (copy annexed).

K. DIRAVIAM,
Secretary to Government.

[Copy of G.O. Ms. No. 1512, Finance (P.C.), dated 22nd October 1971.]

ORDER.

The general principle governing the fixation of pay of a re-employed pensioner in the same or similar post is to allow him to draw his pension in full and in addition, such pay as will bring his total emoluments up to the rate of pay drawn by him on the date of retirement. The term 'pay' includes, in addition to personal pay all other emoluments counted for purpose of calculating pension and pre-retirement pay under the rules of the Madras Pension Code. In the case, however, of the pensioner re-employed in a lower post, his pay plus pension during re-employment should be limited to the pay drawn by him at the time of his retirement or to the maximum of the post in which he is re-employed whichever is less.

2. On the recommendations of the Pay Commission, the pay scales have been upgraded with effect from 2nd October 1970 merging in full the dearness allowance. So, if a Government servant who was drawing his pay and dearness allowance in the old scale before his retirement is under re-employment in the same post on 2nd October 1970, his retirement. The term 'pay' includes, in addition to personal pay, any other emoluments (i.e., pension + pay + dearness allowance) as he drew before retirement. The term "dearness allowance" shall mean the dearness allowance admissible as on 1st October 1970 to the pay draw at the time of retirement of the Government servant. This procedure should be followed in such cases also as a Government servant who retired from service before 2nd October 1970 is re-employed afresh on or after this date in the same Post. For instance, the Junior Assistant who retired before 2nd October 1970 and who was drawing a pay of Rs. 140 in the scale of Rs. 90-4-110-3-140 at the

time of his retirement would have also drawn dearness allowance of Rs. 98. Then the emoluments drawn by him before the introduction of the revised scales are Rs. 238. If he is re-employed or continues to be under re-employment on or after 2nd October 1970 in the same post the scale of pay of which is now Rs. 200-5-250-10-300 plus dearness allowance, he may be allowed to draw the same emoluments i.e., Rs. 238 by fixing his pay at Rs. 223 in the revised scale *inclusive of his pension*. He will also draw the revised dearness allowance of Rs. 15 which will bring his total emoluments to Rs. 238. It is not necessary that the sum of Rs. 223 should represent a stage in the scale of Rs. 200-5-250-10-300, as he will not draw any increment in that scale.

3. Similarly a Holdall Cutter in the Approved Schools and Vigilance Service Department, who retired before 2nd October 1970 and who was drawing a pay of Rs. 185 in the scale of Rs. 125-5-175-10-225 at the time of his retirement, would have also drawn the dearness allowance of Rs. 122. Then the emoluments drawn by him before the introduction of the revised scales are Rs. 307. If he is re-employed or continues to be under re-employment on or after 2nd October 1970 in the same post the scale of pay of which is now Rs. 250-10-400 plus dearness allowance, he may be allowed to draw the same emoluments i.e., Rs. 307 by fixing his pay at Rs. 277 in the revised scale *inclusive of his pension*. He will also draw the revised dearness allowance of Rs. 15 in addition to a special dearness allowance of Rs. 15 which will bring his total emoluments to Rs. 307. It is not necessary that the sum of Rs. 277 should represent a stage in the scale of Rs. 250-10-400 as he will not draw any increment in that scale.

4. If the total emoluments drawn at the time of his retirement were below the minimum in the revised scale, the minimum in the revised scale may be allowed. For example, if a Deputy Tahsildar who was drawing a pay of Rs. 200 in the old scale of Rs. 200-5-250-10-270 and the dearness allowance admissible thereto, namely, Rs. 122 making a total of Rs. 322 is re-employed in the same post he may be allowed to draw Rs. 380 (Rs. 350, the minimum in the revised scale of Rs. 350-15-500-20-600 *plus* dearness allowance of Rs. 30) *inclusive of his pension* as the total emoluments drawn before the introduction of the revised scale are less than the minimum in the revised scale.

5. When the pay of a Government servant, who is re-employed in a lower post, is limited to the maximum in the lower post he may be allowed to draw the maximum in the revised scale also so long as it does not exceed the pay last drawn by him while in service. For instance, a Superintendent in the scale of Rs. 250-25-500 who retired on a pay of Rs. 500 per mensem was re-employed as an Assistant and his pay was limited to Rs. 240, i.e., the maximum of the scale of pay the latter post, namely, Rs. 140-10-240. This scale has now been revised as Rs. 275-10-375-15-450. As the maximum in the revised scale also does not exceed the pay last drawn by him while in service, namely Rs. 500 per mensem he may be allowed to draw the maximum in the revised scale, namely, Rs. 450 per mensem *inclusive of his pension*. He may also draw the dearness allowance of Rs. 30 per mensem admissible to him in the revised scale.

6. The orders in the foregoing paragraphs are applicable only to re-employed pensioners of this State, whose pay on re-employment has been fixed with reference to the general principle laid down in Ruling 4 under Article 521 of the Tamil Nadu Pension Code and will not cover cases of re-employment under Article 514 of the Tamil Nadu Pension Code.

(By order of the Governor)

K. VENKATESAN,
Joint Secretary to Government.

PROVISIONAL PENSION AND GRATUITY.

[SUBJECT.—Teacher Pension—Provisional payment of pension and Death-cum-Retirement Gratuity—Extension to teachers in Non-Government Schools, etc.—Orders issued.]

(Copy of G.O. Ms. No. 430, Education, dated 21st March 1974.)

READ—the following papers—

G.O. Ms. No. 81, Finance, dated 22nd January 1970.

G.O. Ms. No. 743, Finance, dated 27th May 1972.

G.O. Ms. No. 648, Finance, dated 25th May 1973.

Finance Memo. No. 115382/Pen./73-1, dated 31st January 1974.

From the Director of School Education, Rc. No. 48611/PDS/74, dated 9th March 1974.

ORDER

The Director of School Education has suggested that in the case of teachers retiring from non-Government schools a procedure for the payment of provisional pension may be introduced as in the case of Government servants.

2. Government accept the suggestion of the Director of School Education in principle and direct that provisional pension not exceeding the maximum pension eligible and Death-cum-retirement Gratuity limited to eighty per cent be paid in the case of the following categories of staff for a period of twelve months from the date of retirement :—

- (i) Teachers of non-Government (Aided and Local Body) educational institutions.
- (ii) Non-teaching staff of aided schools.

3. The District Educational Officers shall sanction the provisional pension/Death-cum-retirement Gratuity. The procedure indicated in Article 919 of the Civil Services Regulations shall be followed in this regard.

4. Government also direct that it shall be the responsibility of the pension sanctioning authority to ensure that all dues outstanding against the retiring teacher including contributions towards family pension are recovered at the time of payment of provisional pension and Death-cum-retirement Gratuity. While sanctioning provisional pension, etc. the pension sanctioning authority should also guard itself against any possible overpayment by ignoring portions of qualifying service which are not free from doubt such as Military Service, service prior to break, Extraordinary leave without allowances, etc.

N. KRISHNAMURTHY,

Joint Secretary to Government.

PAYMENT BY MONEY ORDER OR THROUGH BANKS.

(Copy of G.O. Ms. No. 1678, Education, dated 26th September 1974.)

[SUBJECT.—Pension—Pension to Non-Government (Aided and Local Body) Teachers—Disbursement through Money Order at pensioner's cost in Madras and the Nilgiris—Orders Issued.]

READ ALSO :—

From the Director of School Education Rc. No. 2059371/PD8/71, dated 19th November 1971.

From the Director of Treasuries and Accounts No. K.Dis. 37730/71 dated 15th December 1971.

From the Director of Collegiate Education Rc. No. 78467 D4/71, dated 29th March 1971.

From the Director of Treasuries and Accounts letter No. K. Dis. 41585/74, dated 17th January 1973.

ORDER

In G.O. Ms. No. 779, Finance, dated 23rd June 1970 as subsequently amended the Government have issued orders that all pensions payable to Tamil Nadu Government pensioners shall be paid by Money Order at Government cost. This scheme is being implemented as an experimental project in the Madras city and The Nilgiris. The Money Order limit for pension in the Madras city is Rs. 300 while there is no limit for the Nilgiris. In the Madras City Pensions above Rs. 300 per mensem are paid through banks of the pensioner's choice.

2. The Government now direct that the scheme introduced in G.O. Ms. No. 779, Finance, dated 23rd June 1970, be extended to non-Government teachers, who retired from local body and aided educational institutions who get pension from treasuries in Madras and the The Nilgiris, subject to the modification that the Money Order commission shall be deducted from the quantum of pension remitted. The rules in the Annexure to G.O. Ms. No. 779, Finance, dated 23rd June 1970 shall be followed in regard to the other aspects of payment. As in the case of Government servants, Family pensions in respect of non-Government teachers pensioners will not be covered by these orders. In Madras City the pensions of the value of more than Rs. 300 to non-Government teachers shall also be paid by credit to the pensioners' accounts in banks.

3. The orders in para 2 above will come into effect from the pension for September 1974 payable on 1st October 1974 and will continue in force so long as the pilot scheme for State Government pensioners mentioned in para 1 above continues to be in force.

N. KRISHNAMURTHY,
Joint Secretary to Government.

(III) CERTAIN SPECIAL CATEGORIES.

(a) THOSE WHO RETIRED BEFORE CRUCIAL DATES

(Copy of G.O. Ms. No. 1505, Education, dated 24th September 1968.)

[SUBJECT.—Education—Teachers' Pension Scheme—Extension with retrospective effect—Orders passed.]

From the Director of Collegiate Education Letter Rc. No. 74538-D4/67, dated 9th January 1968 and 15th April 1968.

From the Director of School Education D.O. No. 50627/B 10/68, dated 26th April 1968.

ORDER.

The Teachers' Pension Scheme originally applied to elementary and Secondary Grade teachers and to similar categories of teachers employed in elementary and secondary schools. This Scheme came into effect from 1st April 1975. The scheme was subsequently extended to Anglo-Indian Schools and Special and Training Schools and the benefit was extended to B.T. Assistants and similar categories of teachers with effect from 1st April 1958. The scheme was actually extended to them from 1st April 1955 but the payment of pension was ordered to be made from 1st April 1958 without any claim for arrears prior to this date. With effect from 1st January 1962, the scheme was extended to the teachers in the transferred areas. This scheme was extended to teaching staff of Aided Colleges also from 1st April 1962. There have been innumerable representations that the teachers of all grades under the services of the local bodies and private managements, etc., who retired prior to 1st April 1955 should also be granted pension. The Government have examined the question and pass the following orders.

2. The Government direct that the following categories of teachers be allowed pension under the Teachers' Pension Scheme :—

(1) Those who retired from Elementary, Secondary, Anglo-Indian, Special and Training Schools.

(2) Those who retired from Schools in the transferred area.

(3) Those who retired from Aided Colleges.

(4) Those who retired from schools in the added areas like Tiruttani taluk, on or after 1st April 1960 (i.e., the date of implementation of the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1960, without any claim for arrears of pension prior to 1st March 1968. (Memo. 78115/F1/69-3, Education, dated 24th January 1970.)

(i) In respect of category (1), Teachers who retired prior to 1st April 1955 also will be eligible for pension from 1st March 1968 without any claim for arrears prior to that date.

(ii) In the case of those teachers coming under category (2), Pension will be allowed to all teachers who retired on or after 1st November 1956 also without any claim for arrears prior to 1st March 1968.

(iii) In respect of category (3), teachers who retired prior to 1st April 1955 and those who retired between 1st April 1955 and 1st April 1962 will be eligible for pension with effect from 1st March 1968 without claim for any arrears prior to 1st March 1968.

S. KRISHNASWAMI,
Secretary to Government.

(Copy of Memo. No. 21344 E6/63-5, dated 18th November 1968.)

The Government in their Order G.O. Ms. No. 1505, Education, dated 24th September 1968 have extended the grant of pension with effect from 1st March 1968 to the teachers of all grades, including Collegiate Teachers under the services of local bodies and private managements, who retired prior to 1st April 1955, without claim for arrears. It has been represented that it may cause difficulties for many of the surviving teachers, who retired prior to 1st April 1955 to produce service particulars to claim pension under the new order. It is likely that in some cases service registers might have been either lost or misplaced. In very many cases it will be even

difficult to check the service details and to calculate pension eligibility due to sheer lapse of time. To obviate hardship and difficulties, the Director of School Education and the Director of Collegiate Education are requested to issue suitable general instructions to all pension sanctioning authorities that in all such cases where Teachers' Service Registers are not available or it is difficult to verify service particulars of the teacher applicants; a minimum pension of Rs. 20 per mensem should be sanctioned. A copy of the instructions issued in the matter should be sent to Government for reference.

M. S. RAMESH,
Deputy Secretary to Government.

“ INVALIDATION ON MEDICAL GROUNDS ” AND “ COMPULSORY RETIREMENT ” IN THE CASE OF THOSE WHO RETIRED BEFORE CRUCIAL DATES.

(Copy of G.O. Ms. No. 1483, Education, dated 27th August 1973.)

[*Subject.*—Pension—Pension Rules for teachers in non-Government service—Pension to teachers who retired before crucial dates—Cases of those discharged due to invalidation on medical grounds and on compulsory retirement as a punishment—Certain points clarified.]

From the Accountant-General, Tamil Nadu, PV III/T2/K 123-1697/69-70/3146, dated 13th October 1969.

From the Accountant-General, Tamil Nadu, PV III/T2/3-6/71-72/57, dated 27th April 1972.

From the Director of School Education, 239618/PDS/71, dated 30th March 1973.

ORDER.

The crucial dates from which the non-Government Teachers Pension Scheme was introduced for various categories of educational institutions were as follows:—

(i) Non-Government (Aided and Local Body) Schools in areas other than the transferred area—1st April 1955.

(ii) Non-Government Schools in the transferred area—1st January 1962.

(iii) Aided Colleges—1st April 1962.

The teachers who had retired from non-Government Service before the respective crucial dates were pleading for allowing Pension to them also and in G.O. Ms. No. 1505, Education, dated 24th September 1968, as modified in G.O. Ms. No. 1513, Education, dated 25th September 1972, the Government sanctioned pension to those teachers also with effect from 1st March 1968, without any claim for arrears and the beneficiaries belonged to the following categories:—

(1)

(2)

G.O. Ms. No. 1505, 24th September 1968.—

(i) Non-Government (Aided and Local Body) Schools in areas other than transferred area.

Those who retired before
1st April, 1955.

(ii) Non-Government Schools in transferred area.

These who retired during the period
from 1st November 1956 (the
date on which the transferred
area came over to Tamil Nadu)
to 31st December 1961.

(iii) Aided Colleges

Those who retired before 1st April 1962.

G. O. Ms. 1513/25th September 1972 :—

(iii) Municipal College, Salem
(taken over by the Government
in April 1960).

Those who retired from Salem
Municipal Service.

2. Many beneficiaries under the above orders may find it difficult to produce service particulars to claim pension. It is likely that in some cases service registers might have been either lost or misplaced. In very many cases, it will be even difficult to check the service details and to calculate pension eligibility due to sheer lapse of time. To obviate hardship and difficulties, the authorities sanctioning pension have (in Memorandum No. 21244/E6/68-5, Education, dated 18th November 1968) been authorised to sanction the minimum pension in all such cases where Teachers Service Registers are not available or it is difficult to verify service particulars of the applicants.

3. If a teacher is to get pension under the above orders he should have put in a total qualifying service of not less than 10 years and should moreover have retired or been discharged from service in any of the following manners set down in rule 12 (a) of the Pension rules for teachers in non-Government service.

(i) retirement by reason of his attaining the age of superannuation under rule 9, or on voluntary retirement after completing a qualifying service of 30 years, or

(ii) discharge due to the abolition of the post, or

(iii) discharge due to closure of schools or consequent on the withdrawal of recognition of schools, or

(iv) discharge due to the invalidation on medical grounds, or

(v) retirement on the date of commencement of the school year just preceding his completing of 55 years or 60 years as the case may be in order to avoid dislocation in the middle of the school year.

(vi) discharge due to compulsory retirement as a matter of punishment (Memorandum No. 2385/F1/68-17, Education, dated 22nd July 1969).

Note: The rules regarding medical certificates in Civil Service Regulation is to be followed in the case of invalidation on medical grounds. The grant of pension under (vi) shall be on the basis of article 465B of the Madras Pension Code.

4. A teacher who puts in a qualifying service of 10 years, but who retired before completing the age of superannuation applicable to him or putting in a total qualifying service of 30 years will yet be eligible to get pension with reference to the above orders, if he had been discharged due to invalidation on medical grounds. The Government agree with the Accountant-General that in such cases it will be impracticable at this distance of time, to follow (with reference to the note under the said rule 12 (a) of the said pension rules the procedure stated in the relevant articles of the Tamil Nadu Pension Code (regarding production of Medical certificate). They direct that the authorities competent to sanction pension under the said rules may sanction pension in such cases without insisting on following the said procedure, provided, however, that they obtain the orders of the concerned head of the Department (e.g. the Director of School Education in respect of Schools) in each such case.

5. Category (vi) of the mode of retirement or discharge, mentioned in paragraph 3 above was introduced by the amendment to rule 12 (a) of the non-Government Teachers Pension Rules issued in Memorandum No. 2385/F1/68-17, dated 22nd July 1969. It is clarified that the amendment applies also to cases arising before 22nd July 1969 also, including cases of pension arising with reference to the orders mentioned in paragraph 1 above.

K. DIRAVIAM,
Secretary to Government.

(Copy of G.O.Ms. No. 1196, Education, dated 15th July 1975)

[Subject:—PENSION—Thirumathi Arulmariamammal, Pollachi—served as teacher from about 1—3—1912 to about 9—3—28—sanction from 1—3—68 of minimum pension admissable from time to time—Sanctioned.]

Read—the following Papers.

1. From Thirumathi Arulmariamammal, dated 19—7—71.
2. From the Director of School Education No. 163379/PD8/71 dated 12—12—71 No. 63670/PD8/72 dated 11—5—72 and No. 222045/PD8/72, dated 25—11—72 and 4—7—74.
3. From the District Educational Officer, Pollachi No. 325/6/72 dated 23—5—1975.

ORDER:

With reference to G. O. Ms No. 1505, Education dated 24—9—68, one Thirumathi Arulmariamammal, No. 169, R. C. Compound, Pollachi who served as teacher in non-Government schools from about 1—3—1912 to about 9—3—1928 was sanctioned the minimum Pension admissable under the non-Government Teachers' Pension Rules (Proceedings 1080/70, dated 4—12—70 of the District Educational Officer, Pollachi). The sanction was however objected to by the Accountant-General, Tamil Nadu in his PV/IV/A/169/338/70-71-816, dated 5—3—71 on the ground that the teacher seemed to have resigned her post as teacher. She has represented that she became deaf on account of throat complaints and that she was asked by the Municipal authorities to leave the service. She has also represented that though the entries in her service book do not contain entries for the period after 9—3—28, she did serve in the Pollachi Municipal school till 1936.

2. At the time the teacher "resigned" from service, no one could have foreseen the institution by the Government of any pension scheme for teachers in non-Government service and it did not matter then whether one "resigned" from service or "left" service or got one self discharged as physically unfit on production of Medical Certificate. It is considered hard to deny pension in such cases eventhough such teachers may technically be said to have, "resigned". [It is in this spirit that instructions were issued in Memo. No. 21344/E6/68-5 Exinding Hon, dated 18—11—68 allowing the sanction of minimum pension even in cases where records like Teachers Service registers are not available or where it is difficult to verify the service particulars of teachers].

3. In the circumstance, the Government permit the District Educational Officer, Pollachi to sanction to Thirumathi Arulmariamammal from the 1st March 1968, the minimum pension admissable under the non-Government teachers, Pension Rules. The rates of minimum pension have been increased from time to time and she will be eligible to get the minimum pension at the rates admissable from time to time. (From 1—4—72 she will be eligible to get also the Pensioners' Dearness Allowance at the rates admissable from time to time). Since the delay in the sanction of pension is not due to any fault of the ex-teacher she will be allowed in full the arrears of pension from 1—3—68 and arrears of pension from 1—3—68 and arrears of pension Dearness allowance from 1—4—72.

C. G. RANGABASHYAM,
Special Secretary to Government.

(b) B.T. TEACHERS AND HEADMASTERS OF HIGH SCHOOLS
WHO RETIRED BEFORE 1ST JULY 1960.

(Copy of G.O. Ms. No. 949, Education, dated 22nd June 1972.)

Pension—Pension for teachers in non-Government servant service—B.T. Teachers and Headmasters of High Schools who retired before 1st July 1960—Quantum of maximum pension enhanced to bring it on a par with those who retired on or after 1st July 1960—Orders issued.

ORDER

In G.O. Ms. No. 1611, Education, dated 30th August 1956, the pension rules for teachers in non-Government service were introduced from 1st April 1955 for elementary school teachers, and for secondary grade and equivalent grades of teachers in Secondary Schools. The pension was to be calculated at 1/120th of the average emoluments for each completed year of qualifying service subject to a maximum of 30/120th of the average emoluments.

2. From 1st April 1958, the rules were extended in G.O. Ms. No. 1109, Education, dated 31st May 1958 to B.T. and equivalent grades of teachers in non-Government Secondary Schools including training and special schools and Anglo-Indian Schools. But at that time a different formula was laid down for calculating the quantum of pension. That provision was to the effect that in so far as B.T. Assistants and similar categories were concerned the pension should not be calculated with reference to the formula mentioned in paragraph 1 above that it should be calculated at Rs. 30 for 30 years of qualifying service and proportionately lesser amounts for lesser periods of qualifying service. A special additional pension of Re. 1 for each year of active as headmaster subject to a maximum of Rs. 5 was given to Headmasters who retired as Headmasters.

3. In G.O. Ms. No. 909, Education, dated 24th April 1961, the Government liberalised the provision in regard to the quantum of pension admissible to B.T. and equivalent grades of teachers. They directed that in respect of such teachers who retired on or after 1st July 1960 pension should be calculated with reference to the formula $N/120$ average emoluments, 'N' denoting the length of qualifying service rendered by the teacher immediately before retirement, subject to a maximum of 30/120 of the average emoluments. The maximum was further limited to Rs. 60 per mensem for B.T. Assistants and like categories and Rs. 75 per mensem for Headmasters. (The special additional pension to Headmasters was discontinued).

4. Thus the position is that a B.T. Assistant/Headmaster who puts in full qualifying service (i) gets a pension of only Rs. 30, Rs. 35 per mensem if he retired before 1st July 1960. (ii) gets pension at 30/120 of average emoluments if he retired during the period 1st July 1960 to 31st May 1970—(subject to a ceiling of Rs. 60/75 p.m., if he retired during 1st July 1960 to 25th February 1970; subject to no ceiling if he retired during 26th February 1970 to 31st May 1970) and (iii) with reference to G.O. Ms. No. 205, Education, dated 10th February 1971 and No. 1245, Education, dated 20th July 1971 gets pension under Liberalised Pension Rules at 30/80 of the average emoluments if he retired on or after 1st June 1970.

5. The Government now direct that *with effect from 1st April 1972* the pension of teacher-pensioner mentioned in paragraph 2 above shall be recalculated with reference to the formula mentioned in paragraph 3 above subject to the ceiling of Rs. 60 or Rs. 75 per mensem as the case may be.

(c) THOSE WHO RETIRED DURING THE PERIOD 26TH FEBRUARY 1970 TO
1ST OCTOBER 1970 — DEARNESS ALLOWANCE TO BE
COUNTED AS PAY FOR PENSION AND GRATUITY.

(Extract from G.O. Ms. No. 1988, Education, dated 17th November 1971.)

* * *

5. In G.O. Ms. No. 317, Finance, dated 11th March 1970 the Government issued orders to the effect that in the case of Government servants retiring from service on or after 26th February 1970, dearness allowance up to the level obtaining in December 1966 (as shown below) shall be reckoned as pay for purposes of pension and gratuity.

Rates of Dearness Allowance.

	Rs.
Below Rs. 90	47
Rs. 90 and above but below Rs. 150	70
Rs. 150 and above but below Rs. 210	90
Rs. 210 and above but below Rs. 400	110
Rs. 400 and above but below Rs. 1,000	120
Rs. 1,000 and above but not exceeding Rs. 2,250	100
Rs. 2,251 and above but below Rs. 2,350—Amount by which pay falls short of Rs. 2,350.	

The Government now direct that the above orders be applicable to all teacher pensioners in non-Government service also including teacher pensioners of aided colleges.

6. Arrears of pension admissible with reference to the orders in paragraphs 2 to 5 above shall be paid in full.

K. DIRAVIAM,
Secretary to Government.

(Copy of G. O. Ms. No.2022, Education, dated 5th December 1973.)

[SUBJECT.—Pension—Teachers in non-Government Educational Institutions who retired from non-Government schools—Aided Colleges on or after 26th February 1970—Ceilings of maximum monthly pension applicable to certain categories—Removed.]

READ—the following papers :—

- (i) From Thiru R. Padmanabhan, dated 3rd February 1972.
- (ii) From the Director of School Education/43078/PDS/72, dated 6th June 1972.
- (iii) From the Accountant-General, Tamil Nadu, PV IPI TV/3-6/72-73/855, dated 6th February 1973.

ORDER

[See paragraph 5 of G.O. Ms. No. 1988, Education, dated 17th November 1971.]

2. Under the Teachers Pension Rules which governed the teachers in non-Government schools before 1st June 1970 and teachers of Aided Colleges before 2nd October 1970 * the pension (calculated at 30/120 of average emoluments) was subjected to certain ceilings in respect of certain categories e.g. Rs. 60 per mensem for B.T. teachers, Rs. 75 per mensem for High School Head Masters and Rs. 150 per mensem for Principals of Arts Colleges. Unless the said ceilings are removed the categories mentioned above will not get full benefit from the orders issued in G.O. Ms. No. 1988, Education, dated 17th November 1971. The Government therefore, direct that the ceilings referred to above shall not be applicable to teachers of non-Government schools and aided colleges who retired on or after 26th February 1970. The arrears of pension consequent on the issue of this order shall be paid in full to all eligible pensioners.

K. DIRAVIAM,
Secretary to Government

(d) GOVERNMENT (BOARD—I.E. B. WING) HIGH SCHOOL STAFF TAKEN OVER TO GOVERNMENT SERVICE FROM 1ST APRIL 1970.

(Copy of G.O. Ms. No. 1523, Education, dated the 20th August 1974.)

[Subject.—Pension—Retirement benefits of staff of former District Board High Schools taken over to Government Service from 1-4-1970—Clarifications—Issued.]

READ—the following papers :—

From the Accountant-General, Tamil Nadu P.V.III/T1/S-25/524/72-83, dated 19th October 1972.

From the Director of School Education, letter Rc. No. 278907/X1/72, dated 13th March 1974.

ORDER

According to the orders in G.O. Ms. No. 399, Education, dated 21st March 1972 (as amended in Government Memo. No. 83327/P 1/72-10, Education, dated 13th September 1973) read with Government Memo. No. 37234/Education (Spl.)/72-2, dated 29th July 1972, the teaching and non-teaching staff of former District Board High Schools (who were taken over to Government service from 1st April 1970) have been declared eligible to get pension and other retirement benefits (including Family Pension under the Madras Government Servants Family Pension Rules 1964) as admissible from time to time to State Government Servants.

2. As per G.O. Ms. No. 1497, Finance (Pension), dated 16th October 1971, the following general principles are to be followed in the matter of extending pensionary benefits under the Liberalised Pension Rules to all officials who were originally non-Government officials but absorbed in Government Service (e.g. the District Board staff mentioned above) :—

(i) They will be eligible to count their past service towards pension for such period as they have been subscribing to the District Board Provident Fund or the Contributory Provident Fund as the case may be;

*This clause has been corrected with reference to G.O. Ms. No. 1912, Education, dated 16th November 1973.

(ii) Such employees should surrender to Government the contribution (i.e., management contribution) Bonus (i.e., Government contribution in the District Boards together with interest thereon).

3. The teaching staff of former District Board Schools who were previously governed by the non-Government teachers pension rules (applicable to the teachers in other non-Government Schools) were brought under the Liberalised Pension Scheme with effect from 1st April 1970. The teachers of other non-Government Schools, were brought under the Liberalised Pension Scheme with effect from 1st June 1970. In respect of teachers under other kinds of non-Government service (i.e., Aided, Panchayat Union and Municipality) retiring on or after the 1st June 1970, contribution to Provident Fund is no longer a condition for counting as qualifying service for purposes of pension. It will not, therefore, be fair to stipulate that in respect of teachers of former District Board Schools alone, periods of service during which no contribution to Provident Fund was made should not be counted for pension. Further as mentioned under condition (ii) above no management or Government contribution will be paid to the teachers and it is really a matter affecting the private finances of the teacher whether he contributed to Provident Fund or not. Therefore, it may not be appropriate to tie up this issue with eligibility to count qualifying service for pension. In the circumstances the Government direct that in modification of condition (i) mentioned above, teaching staff of the former District Boards who retire from service on or after 1st April 1970 be eligible to count as qualifying service all periods of service (otherwise qualifying) irrespective of the fact, whether they were contributing to any Provident Fund or not.

4. In respect of other non-Government teachers retiring on or after 1st June 1970, Insurance scheme is not also compulsory i.e., all periods of service will be counted as qualifying service no matter whether their lives remained insured or not for particular periods. The same principle shall be followed in respect of teachers of Government (Board) High Schools also retiring on or after 1st April 1970.

5. The teachers in non-Government service (i.e., Aided, Panchayat Union and Municipal Service) who have come over to the Liberalised Pension Rules, still continue to enjoy the following benefits provided for in the non-Government Teachers' Pension Rules :—

(i) Regulation of qualifying service with reference to non-Government Teachers' Pension Rules,, which provide for counting broken spells of service and service under all kinds of managements, etc.

(ii) Condoning deficiency in qualifying service.

Had not B-Wing teaching staff been taken over to Government service from 1st April 1970 they would have continued to enjoy all the above benefits as they would have automatically come under the Liberalised Pension Rules from 1st June 1970 along with the teachers in Aided, Panchayat Union and Municipal Schools. The Government, therefore direct that those benefits be applied to B-Wing teaching staff also.

6. Since the staff of B-Wing schools are Government servants from 1st April 1970, the benefit of Commutation of Pension is automatically applicable to them. As the scheme of compassionate gratuity has now been kept in abeyance, the question of extending the scheme does not arise. It is also clarified that the benefit of commutation shall be given to teachers in non-Government (i.e., Aided, Panchayat Union and Municipal) service also who are governed by the Liberalised Pension Rules from 1st June 1970 or 2nd October 1970 as the case may be.

K. DIRAVIAM,
Secretary to Government.

(e) MUNICIPAL SCHOOL, TEACHERS TO CONTINUE UNDER TERMS OF RETIREMENT BENEFITS ADMISIBLE FROM TIME TO TIME TO OTHER NON-GOVERNMENT TEACHERS.

(Copy of G.O.Ms. No. 666, Rural Development and Local Administration, dated 3rd April 1973.)

Pension—Tamil Nadu Municipal Services Pension Rules, 1970—Amendments—Issue.

1. From the Examiner of Local Fund Accounts, Lr. LF (P1) 2329, dated 18—8—70 and 34763/P2/71, dt. 9—7—1971.
2. From the Director of School Education, letters Rc. No. 210661/ PD 8/70, dated 3—7—1971 and Rc. No. 198203/PD 8/71, dated 27—12—1971.

ORDER:

In G.O. Ms. No. 12, R.D. & L.A., dated 5-1-70 orders were issued constituting a State wide Municipal Service consisting of five services (Pensionable) with effect from 14-1-70 in respect of all the officers and servants in superior service whose minimum scale of pay was Rs. 90 and above and also extending the pension benefits to the employees holding posts under the said services. In G.O. Ms. No. 23 R.D. & L.A., dated 5-4-72 the Tamil Nadu Municipal Services Pension Rules were framed. Prior to 14-1-70, unlike other municipal employees, the municipal teachers irrespective of their scale of pay were eligible for pension under the Triple Benefit Scheme (non-Government Teachers Pension Scheme) as ordered by the Education Department. According to this scheme, the entire period of service rendered by the teacher will be taken into account for calculating pension, whereas, with referance to the Tamil Nadu Municipal Services Pension Rules, 1970 the date of admission of the teacher to the General Provident Fund (Municipal) alone will be taken into account. Further, the Liberalised Pension scheme was also introduced to all the teachers in non-Government schools with effect from 1-6-70. As the Triple Benefit scheme and the liberalised pension scheme are more beneficial to the municipal teachers, than the Tamil Nadu Municipal Services Pension Scheme, the Examiner of Local Fund Accounts and the Director of School Education have suggested to the Government to exclude the Municipal teachers from the purview of the Tamil Nadu Municipal Services Pension Rules, 1970 and to allow them to draw pension under the Triple Benefit Scheme and the Liberalised Pension Scheme. The Government decide to accept their suggestion and to issue amendments to the Tamil Nadu Municipal Services Pension Rules, 1970.

2. The following notification will be published in the *Tamil Nadu Government Gazette*.

NOTIFICATION.

In exercise of the powers conferred by sub-section (2) of section 77-A of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Municipal Services Pension Rules, 1970 published with the Rural Development and Local Administration Department notification S.R.O. No. A3 (a) of 1972 in the *Tamil Nadu Government Gazette* (Extraordinary), dated the 7th January 1972.

The amendments hereby made shall be deemed to have come into force on the 14th January 1970.

AMENDMENTS.

In Rule 2 of the said rules—

1. in sub-rule (i) the item (e) and the entries relating thereto shall be omitted.
2. sub-rules (ii) and (iii) shall be renumbered as (iii) and (iv) respectively and following shall be inserted as sub-rule (ii) namely—

“(ii) These rules shall at their option apply to the members of the Tamil Nadu Municipal Educational Service who retired between the 14th January 1970 and the 31st May 1970.”

E. C. P. PRABHAKAR,
Secretary to Government.

Copy of letter from the Secretary to Government Rural Development and Local Administration Department, Madras 9, addressed to the Accountant, General, Madras 18.

Letter No. 92484/M. Spl./73-2, dated 24th September 1973.

Ref: Your letter No. P. V. T4/3-27/73-74/153, dated 30th July 1973.

With reference to the clarifications sought for in the letter cited, I am directed to state as follows:—

The presumption that the pension and the Death-cum-Retirement gratuity to be paid to the municipal teachers are debitable to the Government of Tamil Nadu and are to be classified under the Head of Account under which the pension of aided school teachers is debited is correct as these municipal teachers are to be governed by the Triple Benefit Scheme and Liberalised Pension Scheme applicable to the teachers under all managements, namely Government, local bodies and aided.

The presumption that the pension cases of municipal teachers who retired on or after 1st June 1970 and those who retired prior to 1st June 1970 but require revision with reference to G.O. Ms. No. 666. R.D. L.A, dated 3rd April 1973 are to be dealt to the with in your office is correct.

In regard to the suggestion for specifying the time limit for exercising option to the municipal teachers who retired between 14th January 1970 and 31st May 1970 instructions have since been issued to the D.M.A. in Memo. No. 92484/M.Spl./72-3, dated 24th September 1973. The presumption that the municipal teachers who retired between 14th January 1970 and 31st May 1970 who do not exercise the option will have to be brought compulsory under the Triple Benefit Scheme applicable to the teachers of aided schools is correct.

(Copy of Memo. No. 92484/M. Spl./73-3, Rural Development, and Local Administration dated 24th September 1973.)

2. The Director of Municipal Administration is requested to issue suitable instructions to the Executive Authorities of all the Municipal Councils and Township Committees to prescribe the time limit of three months for the municipal teachers who retired between 14th January 1970 and 31st May 1970 to give their option either to continue under the Tamil Nadu Municipal Services Pension Rules 1970 or to go over to the Triple Benefit Scheme applicable to the teachers of aided schools. He is also requested to inform them that the municipal teachers who do not exercise option within the prescribed time limit will be deemed to have been brought under the Triple Benefit Scheme applicable to the teachers of aided schools.

(f) CERTAIN TEACHERS WHO MIGRATED FROM OTHER MANAGERMENTS TO THAT OF CORPORATION OF MADRAS.

(Copy of G.O. Ms. No. 1464, Education, dated 29th August 1975.)

Pension Scheme for teachers in non-Government service and Pension Scheme for employees (including teachers) of Corporation of Madras—Teachers who served under other kinds of managements, migrated to Corporation service and retired from Corporation—Counting for purposes of Pension of service rendered before entering Corporation service—Orders issued.

Read the following papers:—

From the Commissioner, Corporation of Madras, D.O. letter No. CT.13/3233 of 1972, dated 29th November 1972.

From the Director of school Education, 258071/PD8/72, dated 25th June 1975.

From the Examiner of Local Fund Accounts, K. Dis. 46656/75, C5, dated 24th July 1975.

ORDER.

The non-Government Teachers' Pension Scheme provides for counting as qualifying service, the service rendered by teachers in schools and other educational institutions under all kinds of managements. The Madras Corporation's pension scheme contains no such provision and allows the counting of only the period of service rendered under the Corporation, and the teachers denied pension/given lower amounts of pension, on account of this, fall under two categories:—

(a) teachers who migrated from the service of other kinds of managements (not out of their own volition but) because of circumstances beyond their control. Some of the teachers retrenched consequent on the implementation of the Government's policy of free education in elementary schools laid down in G.O. Ms. No. 739, Education, dated 11-4-1959 were absorbed in the Corporation service with full assurance of Government for the protection of their service conditions. Two such teachers, Thirumathi Rose Marthal and P.G. Jagadeesan have been permitted by Government to count their service prior to entering Corporation Schools, also for purposes of pension, which was sanctioned to them under the non-Government Teachers' Pension scheme (vide G.O's Ms. Nos. 886, Education, dated 6-6-74 and 9 Education, dated 3-1-75). There may be other similar cases also and teachers who came over to corporation service consequent on the take over of Aided Schools by the Corporation [(e.g.) (i) T. Aruputha Mary who was working in the Nataraja Girls School, Thambuchetty Street, Madras-1 which was taken over by the Corporation from 1-7-63, who has been given pension in G. O. Ms. No. 888, Education, dated, 2-6-75 and (ii) the Parthasarathy Middle School, 3, Avadanam Pappier Road taken over by the Corporation from 31-12-68] will also belong to this category.

(b) teachers who entered the service of the Corporation of Madras after leaving the service of some other management out of their own volition.

2. Teachers of the first category are definitely entitled to count their previous service (meaning service rendered under other kinds of managements, before they entered Corporation service) in full for pension. On equitable grounds the teachers of the second category should also be given the same benefit, since except under the Corporation of Madras, service under all kinds of non-Government managements counts for pension. Hence, the Corporation of Madras is requested to sanction pension under its pension scheme to teachers of the kind mentioned para 1 above *after taking into account the entire qualifying service put in by them in educational institutions under other kinds of managements* (i.e. Government, Aided and Local bodies other than Madras Corporation.) To save doubt it is clarified that for purpose of counting as qualifying any period of service in that manner, it will be irrelevant (i) whether a teacher is contributing to Provident Fund or not during the period; and (ii) whether

his life was insured or not during that period. (A few teachers of this category have already been granted pension from State Government funds under the non-Government Teachers' Pension rules—see details in para. 1 above. Their cases will not be reopened.)

3. The Commissioner, Corporation of Madras is requested to place this before the concerned authority of the Madras Corporation for getting the corporation pension scheme modified suitably.

N. KRISHNAMOORTHY,
Joint Secretary to Government.

(g) TEACHER OF VENKATESWARA HIGH SCHOOL, VELLORE WHO RETIRE
ON OR AFTER 2-10-1970

(Copy of G.O. Ms. No. 876, Education, dated 3rd May 1975.)

Pension—Pension for teachers in non-Government service—Sri Venkateswara High School, Vellore—Extension of Liberalised Pension Rules and Family Pension Scheme from 2-10-1970—Orders issued.

Read the following papers:—

- (i) From the Executive Officer, Tirumalai Tirupathi Devasthanams D4. 29158/72, dt. 21-10-1972 and 6-2-1974.
- (ii) From the Director of School Education's No. 248524/PD-8/72, dt. 17-9-1974 and 16-2-1975.

ORDER:

2. Though the Sri Venkateswara High School, Vellore is an Aided High School like any other Aided School, its management (the Tirumalai Tirupathi Devasthanams) has, as a matter of welfare and social security been paying pension (at the same rates as applicable under the Andhra Pradesh Liberalised Pension Scheme) from its own funds from as early as 30-9-1951 to 1-10-1970. It has requested that the Government may take over the responsibility of paying retirement benefits to teachers retiring from that school on or after 2-10-1970 just as in the case of all other Aided High Schools in the State, while the Devasthanam will continue to pay from its own funds retirement benefits for the teachers who retired before 2-10-1970.

3. The Government agree to the request and direct that the teachers retiring from the service of the Sri Venkateswara High School, Vellore on or after 2-10-1970 be treated like teachers of any other Aided High School in the State and that they be allowed the same retirement benefits (pension, gratuity, Family Pension, etc.) as are allowed from time to time to teachers who retire from other Aided High Schools in Tamil Nadu, on the terms and conditions applicable to other Aided High School teachers.

4. During the period from 2-10-1970 till now, some teachers are reported to have retired from that school on various dates and they shall be allowed arrears of pension from the respective dates of retirement since the delay in the issue of the orders is not due to their fault.

C. G. RANGABASHYAM,
Secretary to Government.

IV. FAMILY PENSION.

(Copy of G.O. Ms. No. 1888, Education, dated 17th November 1971)

[Subject.—Pension—Teachers in non-Government Service—Minimum pension of Rs. 30 per mensem with effect from pension for March 1970—Applicable to family pension also—Minimum (for family pension) raised to Rs. 50 per mensem from 2nd October 1970, etc.]

READ—the following papers:—

Letter from the Director of School Education,
dated 3rd June 1971, No. 85299/PD8/71.

ORDER.

1.

2. In G.O. Ms. No. 1684, Education, dated 5th October 1970, the Government directed that with effect from 1st March 1970, i.e., Pension for March 1970 payable on 1st April 1970, in all cases of existing and future pensioners governed by the Tamil Nadu Teachers' Pension Scheme, who are or will be in receipt of superannuation, retiring, compensation or invalid pensions less than Rs. 30 per mensem, the pension shall be increased to Rs. 30 per mensem. Similar orders in respect of State Government servants had been issued in G.O. Ms. No. 277, Finance, dated 4th March 1970 and in G.O. Ms. No. 614, Finance, dated 18th May 1970 the minimum increase was made applicable to Family Pension also. On the same analogy the Government now direct that the minimum pension ordered in G.O. Ms. No. 1684, Education, dated 5th October 1970 shall be applicable to Family Pension also with effect from 1st March 1970.

3. The teachers who retired from non-Government educational institutions other than Aided colleges on or after 1st June 1970 are governed by the Liberalised Pension Scheme and are to be treated on a par with State Government servants governed by the Liberalised Pension Scheme. It is now clarified that the Madras Government Servants Family Pension Rules, 1964 as amended from time to time shall also be applicable to them from 2nd October 1970. Those teachers are therefore automatically eligible for the increase in minimum of Family Pension to Rs. 50 per mensem sanctioned in G.O. Ms. No. 228, Finance, dated 8th February 1971 to those who retired from service or whose death took place on or after 2nd October 1970.

4. The Government now direct that the families of teachers in non-Government educational institutions other than Aided colleges who retired before 1st June 1970 but whose death took place on or after 2nd October 1970, shall also be eligible to get the minimum family pension of Rs. 50 per mensem.

5.

6. Arrears of pension admissible with reference to the orders in paragraphs 2 to 5 above shall be paid in full.

K. DIRAVIAM,
Secretary to Government.

(Copy of G.O. Ms. No. 2003, Education, dated 30th December 1972)

[Subject.—Pension Rules for Teaching Staff in non-Government service—Terms of Family Pension before 2nd October 1970—Orders issued.]

READ—the following papers:—

1. From the Accountant-General, Tamil Nadu PVIII/T2/3-24/69/70-841, dated 10th June 1969, T1/Misc./70-71/149, dated 9th June 1970, T1/3-24/71-72/429, dated 30th October 1971 and 525, dated 23rd October 1972.

2. From the Director of School Education, Letters No. 97919/B10/69, dated 14th October 1970 and 177366/PDS/71, dated 23rd September 1971.
3. From the Collector of Thanjavur, Letter L. Dis. No. 91404/70-K, dated 30th October 1970.

ORDER.

In G.O. Ms. No. 2801, Education, dated 20th November 1962, Family Pension was extended to teaching staff in non-Government educational institutions under the following terms :—

(i) For purpose of Family Pension, the term 'family' shall be as defined in the Madras Liberalised Pension Rules, 1960.

(ii) The rate of Family Pension in respect of teachers in non-Government service shall be one half of what is normally admissible to a teacher in Government service with the same length of qualifying service (i.e., completed years of qualifying service—*vide* letter No. 26359/E6/63-2, Education, dated 8th April 1963).

(iii) The families of teachers, who retired on or after the 1st April 1962 or were in service on re-employment terms on that date and who die thereafter as well as teachers who die while in service on or after 1st April 1962 shall be eligible for family pension provided that such teachers had completed not less than 20 years of qualifying service. The pension shall be granted to such families for a period of ten years provided that the period of payment of family pension shall in no case extend beyond a period of five years from the date on which the deceased teacher retired or on which he would have retired on superannuation pension in the normal course according as the death takes place after retirement or while the teacher is in service.

2. In G.O. Ms. No. 380, Education, dated 9th April 1969, the terms of Family Pension mentioned in paragraph 1 above were liberalised as follows :—

(i) Families of teaching staff, who retired on or after 1st April 1969 or were in service on re-employment terms on that date and who die thereafter as well as teaching staff, who die while in service on or after 1st April 1969, shall be eligible for Family Pension, if they had completed not less than 5 (five) years of qualifying service.

(ii) Such family pension will be granted—

(a) up to the death or remarriage of the widow/widower whichever is earlier; or

(b) till the date of attaining majority in the case of minor children or till marriage in the case of minor daughter, if such daughter is married before attaining majority.

NOTE.—For the purpose of this rule the age of attaining majority in the case of minor sons is 18 years and in the case of minor daughters, 21 years.

(c) In the case of unmarried teachers to the father, failing which to the mother, subject to the condition that such person was dependent on the deceased Government servant for support (this takes effect from 23rd September 1970).

3. The orders in G.O. Ms. No. 380, Education, dated 9th April 1969, came into force on 1st April 1969. The following clarifications are issued :—

(i) The orders are applicable to teaching staff of aided colleges (Arts, Training, Physical Education and Oriental) also;

(ii) The intention was that families of teaching staff, which were getting family pension on 31st March 1969 or had ceased to draw Family Pension before 1st April 1969 consequent on the completion of the 10 years or 5 years period, shall also be eligible to

get the additional concession (regarding extension of term of family pension) mentioned in sub-paragraph (ii) of paragraph 2 above with effect from 1st April 1969 (without any claim for arrears prior to that date). This concession may be given to one beneficiary only on the analogy of G.O. Ms. No. 845, Finance, dated 2nd February 1965, applicable to Government servants. The following illustration will make the position more clear :—

A teacher of an Aided or Local Body School retired on superannuation on 1st April 1962. He died on 10th April 1962 (after the Family Pension Scheme sanctioned with effect from 1st April 1962 in G.O. Ms. No. 2801, Education, dated 20th November 1962, came into force). His widow received family pension from 10th April 1962 to 31st March 1967 (reckoning five years from 1st April 1962) and ceased to receive Family Pension from 1st April 1967. The effect of paragraph 3 (ii) of the present Government Order is that she will again receive Family Pension from 1st April 1969 onwards, till she dies or remarries. She will not get arrears for the period 1st April 1967 to 31st March 1969 :—

(iii) When Family Pension was introduced for non-Government Teacher-Pensioners in G.O. Ms. No. 2801, Education, dated 20th November 1962, Government servants were eligible for Family Pension only if they had put in 20 years and accordingly 20 years qualifying service was laid down in the said Government Order for non-Government Teacher-Pensioners also. Later, in the case of Government servants, the qualifying service was reduced with effect from 1st July 1960, in exceptional cases, from 20 years to 10 years (in G.O. Ms. No. 1090, Finance, dated 12th September 1961), later with effect from 1st April 1964 in all cases to five years (in G.O. Ms. No. 950, Finance, dated 29th July 1964) and still later with effect from 1st April 1966 in all cases to one year (in G.O. Ms. No. 441, Finance, dated 13th April 1966). But, in the case of teaching staff in non-Government educational institutions the minimum qualifying service for Family Pension was 20 years as per G.O. Ms. No. 2801, Education, dated 20th November 1962 and five years as per G.O. Ms. No. 380, Education, dated 9th April 1969; and

(iv) In respect of teaching staff of non-Government educational institutions benefiting under G.O. Ms. No. 380, Education, dated 9th April 1969, the following formula will be adopted, namely :—

Half the percentage rates laid down in rule 3 (3) of the Madras Government Servants Family Pension Rules, 1964.

The definition of 'pay' as given in the Family Pension Rules, 1964, will be adopted for non-Government teachers also. The rates will be as follows :—

<i>Pay of teachers.</i>	<i>Rate of family pension.</i>	<i>Maximum or Minimum.</i>
(1)	(2)	(3)
1 Below Rs. 200	15 per cent of pay.	*Minimum of Rs. 10.
2 Rs. 200 and above but below Rs. 800.	7½ per cent of pay.	Maximum of Rs. 48 and *Minimum of Rs. 30.
3 Rs. 800 and above ..	6 per cent of pay.	Maximum of Rs. 75.

NOTE.—Where however the actual pay drawn is in excess of the maximum of the Government scale of pay, the maximum of the Government scale of pay should be taken into account.

The rate of minimum Family Pension has since been raised from time to time.

4. As regards the recovery of two months pay from beneficiaries it is clarified that the beneficiaries under paragraph 2 above shall be required to agree to a deduction of two months' pay from the balance in the Teachers' Provident Fund, provided that such deduction shall not be insisted on in the cases covered by paragraph 3 (ii) above. In the case of teachers retiring as bachelors/spinsters or without a wife/husband or minor children including adopted children or dependant parents in the case of unmarried teachers (from 23rd September 1970) the deduction of two months pay shall not be made.

5. Arrears of pension, if any, due with reference to the above orders with effect from 1st April 1969, shall be paid in full, immediately.

6. The deduction of two months' pay mentioned in paragraph 4 above shall be on the basis of the pay (such as the maximum of the Government scale of pay, etc.) adopted for fixing the amount of pension. It shall be made by the local bodies and aided managements from the local body contribution or Government contribution to the Provident Fund, as the case may be. In the case of amounts recovered from local body contribution, the amounts shall be credited to the State Government Account in the Treasury immediately, after recovery. In cases, where non-contribution is condoned by the Chief Educational Officers concerned, as well as in the case of the exempted categories referred to in Note (1) below Rule 3 of the Non-Government Teachers' Pension Rules, the recoveries may be made in cash and credited to the State Government Account. In cases where the recovery could not be effected from Provident Fund in cash, the same may be effected from the arrears of Family Pension. The amounts to be credit to the State Government shall be credited to the head of account "XLVIII. Contributions and Recoveries towards Pension and Other Retirement Benefits—(a) Contributions from Pension and Gratuities—Other Contributions". A certificate of compliance with the above requirements shall be recorded in the service books of the teachers concerned.

K. V. BALAGOPALAN,
Deputy Secretary to Government

(Case of G. O Ms. No. 623, Education, dated 18th April 1973)

[Subject.—Pension—Pension for Teachers in non-Government service—Family Pension—Minimum Family Pension increased from Rs. 30 to 50 per month with effect from 2nd October 1970—Applicability of orders to cases of Family Pension of non-Government teachers which existed on 2nd October 1970.]

READ—the following papers :—

From the Accountant-General, Tamil Nadu PVIII—Est. I/3-24/72-73/685,
dated 18th January 1973.

ORDER.

In G.O. Ms. No. 1816, Finance, dated 27th December 1971, the Government have clarified that the minimum pension ordered in G.O. Ms. No. 228, Finance, dated 3rd February 1971 shall be applicable in all cases of existing and future pensioners of the Government of Tamil Nadu who are or will be in receipt of Family Pension under the Tamil Nadu Government Servants Family Pension Rules, 1964. According to G.O. Ms. No. 1174, Finance, dated 31st August 1972 all the existing and future pensioners of the Tamil Nadu Government who are or will be in receipt of family pension under Rule 6 of the Tamil Nadu Liberalised Pension Rules, 1960 will also be eligible for the minimum Family Pension of Rs. 50 per mensem with effect from 2nd October 1970. In other words the minimum Family Pension has been increased to Rs. 50 per mensem in respect of families of State Government servants who were drawing family pension on 2nd October 1970.

2. In pursuance of the principles conceded in G.O. Ms. No. 1816, Finance, dated 27th December 1971 and G.O. Ms. No. 1174, Finance, dated 31st August 1972, the Government now direct that the minimum of Family Pension admissible to the families of teachers of Non-Government schools and aided colleges who are or will be in receipt of Family Pension be increased to Rs. 50 per mensem with effect from 2nd October 1970 with claims for arrears in full.

K. V. BALAGOPALAN,
Deputy Secretary to Government.

(Copy of G.O. Ms. No 902, Finance, dated, 23th June 1974.)

[Subject.—Pension—Family Pensioners—Grant of Dearness Allowance—Orders issued.]

ORDER.

At present, dearness allowance is admissible only to those in receipt of regular service pensions such as superannuation, retiring; Compensation or invalid pensions. The Tamil Nadu Civil Services Joint Council suggested to Government to implement a scheme for sanction of dearness allowance to those in receipt of family pension also as in the case of other pensioners. The Government after due consideration have accepted the suggestion of the Civil Services Joint Council.

2. The Government accordingly direct that an amount of Rs. 20 (Twenty only) per mensem be paid as dearness allowance to all those in receipt of family pensions under the Madras Liberalised Pension Rules, 1960 or the Government Servants Family Pension Rules 1964, as the case may be (both existing and future pensioners). *The Dearness Allowance is admissible to families of Teacher pensioners also.* In the case where the Family Pension is sharable the dearness allowance shall also be shared on the same basis.

3. The dearness allowance sanctioned in paragraph 2 above shall be paid with effect from the family pension for April 1974 payable in May 1974 onwards. Pending formal authorisation by the Accountant-General, Tamil Nadu, the dearness allowance shall be paid straightaway by the Pay and Accounts Officer and the Treasury Officers concerned.

S. GUHAN,
Special Secretary to Government.

(Copy of G. O. Ms. No. 1677, Education, dated 26th September 1974.)

[Subject.—Pension—Pension Rules for teachers in Non-Government Service—Terms of family pension—Regarding.]

READ—the following papers :—

1. From the Accountant-General, Tamil Nadu, PAI/GI/892, dated 4th August 1973.
2. From the Director of School Education, L.Dis. No. 182513 PD.8/73, dated 13th June 1974.

ORDER.

In G.O. Ms. No. 380, Education, dated 9th April 1969 as clarified in G.O. Ms. No. 2003, Education, dated 20th December 1972 the family pension rules of teachers were liberalised so as to make the pension available for life-time or till re-marriage of widow or till attainment of majority in cases of minor children, as the case may be. The concession was extended to all who were in receipt of family pension either before or

after 1st April 1969. The Accountant-General has now brought to the notice of Government that a category of teachers, who retired before 1st April 1969 and were receiving pension on that date but died thereafter, have been left out of this liberalised provision and that in these cases the dependants of the teaching staff have been authorised family pension for the unexpired period of five years wherever admissible from the date of superannuation of the teachers under the rules in force before issue of G.O. Ms. No. 380, Education, dated 9th April 1969. As the families of these pensioners have represented that they might be allowed pension under the liberalised rules, the Accountant-General has sought confirmation whether the families of teachers coming under this category are admissible for the concessions.

2. The Director of School Education who was consulted in this matter stated that from the illustration given in paragraph 3 (ii) of the G.O. Ms. No. 2003, Education, dated 20th December 1972, it is clear that family pension is payable to the family of the deceased teachers from 1st April 1969, even though the family ceased to receive family pension from 1st April 1969 and as such the family of teachers who received pension prior to 1st April 1969 and who died after 1st April 1969 shall be automatically eligible for Family Pension under the Family Pension Scheme. The Government accept the view of the Director of School Education and direct that the following category shall also be eligible for the concessions mentioned in the said G.Os. :—

' Teaching staff of non-Government Schools and Aided Colleges who retired or left service after re-employment during the period 1st April 1962 to 31st March 1969 but who die on or after 1st April 1969 '.

N. KRISHNAMURTHY,

Joint Secretary to Government.

(V) MISCELLANEOUS MATTERS :—PENSION BONUS, FESTIVAL ADVANCE, MEDICAL CONCESSIONS.

(Copy of G.O. Ms. No. 1243, Education, dated 20th July 1971.)

[Subject.—Pension—Bonus granted to teachers who retired from non-Government educational institutions before 2nd October 1970—Festival advance and Medical concession granted to teachers retired from non-Government educational institutions—Orders issued.]

READ—the following papers :—

1. G.O. Ms. No. 284, Finance, dated 18th February 1971.
2. G.O. Ms. No. 285, Finance, dated 18th February 1971.

ORDER.

3. The Government now sanction the payment to all teacher pensioners of non-Government educational institutions (including Aided Colleges) who were drawing pension as on 1st October 1970 (but excluding the teachers to whom the concessions, given in G.O. Ms. No. 208, Education, dated 10th February 1971 and 1245, Education, dated 20th July 1971 are applicable) of an ex-gratia (non-recurring) lumpsum bonus of an amount equal to the Pension actually drawn for the month of September 1970, subject to a maximum of Rs. 100. The term 'Pension' will include temporary increase and minimum pension increase. The bonus will not be admissible to those who retired on or after 2nd October 1970 and to those drawing family pension.

4. If any one eligible to get the above bonus has died on or after 2nd October 1970 the bonus may be paid now to his legal heirs, provided a claim had been made by the pensioner himself during his life-time.

5. Teachers who retired from non-Government schools on or after 1st June 1970 are governed by the Liberalised Pension Scheme and are to be treated on a par with State Government servants governed by the Liberalised Pension Scheme. These teachers are therefore automatically eligible (a) to be granted festival advance at the rates and under the terms and conditions laid down in G.O. Ms. No. 285, Finance, dated 18th February 1971 and (b) to continue to get, after retirement, the same medical concessions, if any, to which they were entitled on the date of their retirement.

6. The Government now direct that the following categories of teacher pensioner in non-Government service be also granted the two concessions mentioned in paragraph 5. above :--

(i) Teachers in non-Government schools who retired before 1st June 1970.

(ii) Teachers who retired from Aided Colleges (those who retired before 2nd October 1970 as well as on or after that date).

(The benefit of free medical treatment in Government hospitals and dispensaries was extended to teachers of Aided Schools only from 1st April 1970. However, this benefit shall be allowed to teachers who retired from Aided Schools before 1st April 1970 also.)

K. DIRAVIAM,
Secretary to Government.

(VI) TEACHING STAFF WHO RETIRED FROM NON-GOVERNMENT COLLEGES.

(Copy of G. O. Ms. No. 1671, Education, dated 15th July 1963.)

[Subject.—Education—The Madras Teachers' Contributory Provident Fund—Insurance—Pension Rules—Extension to the teaching of aided colleges—Orders issued.]

ORDER.

1. The Government direct that the Madras Teachers' Contributory Provident Fund-Insurance-Pension Rules 1958 be extended to the teaching staff of all aided colleges (Arts, Training and Oriental) affiliated to or recognised by the University of Madras, with effect from 1st April 1962, i.e., they shall be applicable to those who attained the age of 55 years on or after 1st April 1962, subject to the orders indicated below :--

Provided that a teacher who, having attained the age of 55 years prior to the 1st April 1962, was actually in service in the same or any other college on or after 1st April 1962 shall be eligible for pension subject to the condition that service put in by him beyond the date on which he attained the age of 55 years will not be reckoned for Pension.

2. *Contributory Provident Fund.*—The Provident Fund instituted by the Government for the benefit of teachers in non-pensionable service will continue to be maintained according to the rules in force.

3. *Insurance.*—Every teacher shall insure his life for a minimum sum as noted below and shall keep the insurance in force at least till he completes 55 years of age :

- | | |
|-----------------------------------------------------------------------------------------|-----------|
| (a) Every teacher holding a post comparable to a Gazetted post in a Government College. | Rs. 5,000 |
| (b) Every other teacher, if his post carries— | |
| (i) a scale of Rs. 140-250 or above | Rs. 2,000 |
| (ii) less than Rs. 140-250 | Rs. 1,000 |

Provided that a teacher who has already completed 45 years of age on the 1st April 1962, or who may be recruited after that age shall be exempted from insurance. Insurance policies already taken will be accepted for the purpose of these rules and the evidence of their being kept alive and unencumbered shall be produced before the Joint Director of Public Instruction (Personnel).

The premium of such insurance may be paid by the teacher from his pay or leave salary or, with prior sanction, from the provident fund subscription.

4. *Gratuity*.—A teacher who has completed 5 years of qualifying service but not 10 years shall be granted a gratuity equal to one-half of a month's emoluments for each completed year of service. No gratuity shall be admissible to a teacher who has put in a qualifying service of less than 5 years.

5. *Pension*.—A teacher shall be eligible for a pension from the Government at the rate calculated with reference to the formula $N/120 \times$ average emoluments, 'N' denoting the length of qualifying service rendered by the teacher immediately before retirement, subject to a maximum of $30/120$ of the average emoluments. The maximum shall be further limited as indicated below :—

Arts Colleges.—

Maximum pension allowed per month.

	Rs.
1 Principal 600-30-900	150/-
2 Professors or Senior Lecturers in post-graduate colleges only 450-25-800.	125/-
3 Lecturers 350-25-650	100/-
4 Assistant Lecturers 225-10-275-15-425	70/-
5 Assistant Lecturers in languages (Junior) Rs. 140-5-180-10-250	60/-
6 Tutors and demonstrators 140-5-180-10-250	60/-
7 Physical Directors and Directresses—	
(i) on Rs. 250-300	70/-
(ii) on Rs. 140-250	60/-
8 Other posts Rs. 90-140	35/-

Training Colleges.—

1 Principal 600-30-900	150/-
2 Lecturers 300-25-800	125/-
3 Assistant Lecturers 225-10-275-15-350	70/-
4 Tutors and demonstrators 140-5-180-10-250	60/-
5 Other posts 90-140	35/-

Oriental Colleges.—

1 Principals 200-10-300 plus Rs. 50/-	70/-
2 Professors 200-10-300	65/-
3 Professors (with Oriental title) 140-5-180-10-250	60/-
116-10-6	

For the purposes of the pension, service upto the date of completion of 55 years of age only shall be reckoned. A teacher shall be eligible for pension if he has rendered a total qualifying service of 10 years or more and discharged or retired as per rules and orders. The entire service from the date of appointment in a recognised college will count as service for this purpose, provided that the teacher is qualified to hold the post.

6. *Family Pension*.—The concession of family pension in the Madras Liberalised Pension Rules 1960, shall be extended to the teachers. The Family Pension shall be fixed at one half of that admissible to the family of a deceased teacher in Government service with the same length of service. As in the case of Government servants, the family pension will be granted to the family of a teacher who has put in not less than 20 years of qualifying service, for a period of 10 years or 5 years from the date of superannuation, whichever is less. The definition of 'family' shall be as stated in the Madras Liberalised Pension Rules, 1960.

7. The authority competent to sanction gratuity, pension and family pension shall be the Joint Director of Public Instruction dealing with Aided Colleges or such officer as may be nominated by the Director of Public Instruction in this behalf.

P. P. I. VAIDYANATHAN,
Secretary to Government.

[*Subject*.—Pension—Pension for teachers in non-Government Service—Counting of qualifying service rendered in schools/colleges in respect of teacher retiring from college/school—Orders issued.]

READ—the following papers :—

From the Director of School Education, Letter No. 221779/B10/67, dated 25th January 1968 and 15th November 1968.

From the Director of Collegiate Education, Letter No. 25457/D4/67, dated 30th August 1967, 11th January 1968 and 11th October 1969.

ORDER.

In G.O. Ms. No. 1611, Education, dated 30th August 1956, the pension rules for teachers in non-Government service (i.e., Aided and Local Body Educational Institutions) were first introduced from 1st April 1955 for non-Government Elementary Schools and for Secondary Grade and equivalent grades of teachers in non-Government Secondary Schools. From 1st April 1958, the rules were extended in G.O. Ms. No. 1109, Education, dated 31st May 1958, to other grades of teachers in non-Government Secondary Schools, including B.T. Teachers (besides all staff of all non-Government Training and Special Schools and Anglo-Indian Schools). From 1st January 1962, the rules were extended (in G.O. Ms. No. 853, Education, dated 16th April 1962) to teachers of non-Government schools in the transferred areas (Kanyakumari district and Shencottah taluk of Tirunelveli district). From 1st April 1962 the rules were extended (in G.O. Ms. No. 1671, Education, dated 15th July 1963) to teachers of Aided Colleges.

4. The question of counting for purposes of pension (i) the periods of qualifying service in non-Government schools in the case of a teacher retiring from an Aided College and (ii) the periods of qualifying service in Aided Colleges in the case of a teacher retiring from a non-Government school has been raised for clarification.

5. It has already been clarified in Government Memo. No. 76939/F1/70-2, Education, dated 4th December 1970 that the intention of the Government when G.O. Ms. No. 1671, Education, dated 15th July 1963 was issued was that qualifying service in colleges would count in full for purposes of pension for teachers retiring from schools and vice versa. The Government now direct that all such cases be settled in accordance with the said intention. The pension due in such cases which occurred in the past shall also be recalculated accordingly. These instructions shall apply *mutatis-mutandis* to cases of family pension also.

(Copy of G.O. Ms. No. 1513, Education, dated 25th September 1972.)

[Subject.—Pension—Pension Rules for teachers in non-Government Service—Teachers who retired from Salem Municipal College declared eligible for pension.]

READ—the following papers :—

From the Director of Collegiate Education Rc. No. 22652/D4/70, dated 24th September 1970 and 23rd June 1972.

From the Examiner of Local Fund Accounts Rc. No. 8164/71, P-3, dated 15th April 1971.

From the Director of Municipal Administration K. Dis. No. 5005/71, dated 26th April 1971.

From the Municipal Commissioner, Salem B8/3549/72, dated 8th May 1972.

ORDER.

* * * *

5. At the time the pension scheme was extended to colleges from 1st April 1962 in G.O. Ms. No. 1671, Education, dated 15th July 1963, no college was being run by Local Bodies and hence the application of that order was restricted to Aided Colleges. The only College run by a Local Body, viz., the Salem Municipal College had been taken over by the Government from April 1960. However, when the payment of pension was (in G.O. Ms. No. 1505, Education, dated 24th September 1968) extended to teachers in non-Government Service who had retired before the respective crucial dates the teachers who retired from the Salem Municipal College (before it was taken over by the Government in April 1960) should also have been specified as one category of beneficiaries, but they were omitted to be mentioned in that order.

6. The Government now direct that all the teachers, who retired from the service of the Salem Municipal College and were alive on the 1st March 1968, be allowed pension with effect from 1st March 1968 under the pension scheme for teachers in non-Government Service. (Service, if any put in by such teachers under other kinds of managements Aided, Local body or Government before joining the Salem Municipal College shall also be taken into account for purposes of pension). No arrears shall be allowed for the period prior to 1st March 1968. Arrears shall, however, be allowed in full from 1st March 1968 and if any beneficiary has died after 1st March 1968 the arrears due from 1st March 1968 to the date of his death shall be paid to his legal heirs.

7. Certain other points arising out of the omission hitherto, in the various orders relating to the non-Government teachers pension scheme, to take into account, the

existence of the one Municipal College till April 1960, have been brought to the notice of the Government and they are clarified as follows:—

(a) A teacher, who after serving for some years in the Salem Municipal College, might thereafter have left its service and joined some other non-Government (Aided or Local body) educational institution and ultimately retired from such institution. Such a teacher shall be allowed to count for purpose of pension the period of his service in the Municipal College.

(b) A teacher, who after serving for some years in the Salem Municipal College, might thereafter have joined Government Service and ultimately retired from Government Service. The counting of his municipal service for purpose of his pension shall be governed by the provision in the pension Code.

(Copy of G.O. Ms. No. 1912, Education dated the 16th November 1973.)

[Subject.—Pension—Teaching staff of aided colleges—[Extension of Liberalised Pension Scheme and certain other benefits—Orders issued.]

READ—the following papers:—

3. Letter from the Director of Collegiate Education No. 26049/D1/72, dated 21st March 1972, 31st October 1972 and 14th July 1973.

ORDER.

The Government pass the following orders in regard to pension of the teaching staff of aided Colleges.

I. Staff retiring on or after 2nd October 1970.

The teachers retiring from the aided colleges on or after 2nd October 1970 shall be allowed pension (but not gratuity) at the rates admissible under the Liberalised Pension Rules applicable to State Government Servants from time to time. That is, one who has put in the qualifying service in full will be allowed pension calculated at 80/80 of the average emoluments drawn by him during the last twelve months prior to attaining 58 years of age and for persons with lesser periods of qualifying services, pension will be at proportionate rates as laid down in the Liberalised Pension Rules. * The benefit of the scheme shall be allowed only to those who attained the age of 58 years on or after 2nd October 1970. Those who had attained the age of 58 years prior to 2nd October 1970 but continued in service on or after 2nd October 1970 shall also be eligible for the Liberalised Pension Scheme, but the arrears shall be payable from 2nd October 1970 only. The scheme as it stood on the day of retirement (i.e. the date of attaining 58 years) should be applied in such cases.

2. At present the service rendered up to 55 years is taken into account for purpose of computing qualifying service for the purpose of pension. The Government direct that the staff will be allowed to count, for purpose of pension, the entire period of their qualifying service till they attain the age of 58 years.

3. The quantum of pension calculated under the Liberalised Pension Scheme will not be subject to any ceiling of the kind imposed in G.O. Ms. No. 1671, Education, dated 15th July 1963.

4. The teachers, who are covered by the Liberalised Pension Scheme, will not, however, be eligible to get any gratuity with reference to those rules. In lieu of that benefit, they will, however, continue to get the benefit of Contributory Provident Fund under the "Provident Fund Rules for the staff of the aided educational institutions".

*The last three sentences are as modified in Memoranda No. 5651/G1/74-4, dated 6th June 1974 and 44578/G1/74-3, Education, dated 16th August 1974.

5. For purpose of family pension, even the teachers coming under the Liberalised Pension Scheme (for purpose of pension alone) will continue to be governed by the provisions issued in G.O. Ms. No. 1671, Education, dated 15th July 1963 and subsequent orders issued in the matter from time to time.

II. *Teachers who retired from the aided colleges before 2nd October 1970.*

6. On the analogy of paragraph 3 of G.O. Ms. No. 1684, Education, dated 5th October 1970, the pension of all teachers, who retired from the aided Colleges on or after 26th February 1970 shall be worked out on the basis of the emoluments drawn during the last 12 months' service before retirement.

7. The teachers, who retired from the aided Colleges, shall be allowed to count the entire period of qualifying service up to the date of completion of the age of 58 for purpose of pension, under the non-Government Pension Rules with effect from 2nd October 1970.

8. In the case of all teachers, whose date of retirement falls prior to 2nd October 1970, the ceiling of maximum monthly pension enforced with reference to G.O. Ms. No. 1671, Education, dated 15th July 1963, shall be removed with effect from 2nd October 1970.

9. The monetary effect of the benefits mentioned in the above paras shall be allowed with effect from 2nd October 1970 without any claim for arrears for periods prior to that date. If any teacher, to whom a monetary benefit has accrued with reference to these orders, has expired without receiving payment, the amount can be paid to his/her legal heirs.

K. DIRAVIAM,
Secretary to Government.

(Memorandum No. 107535/G1/73-4, Education, dated 25th March 1974.)

[Subject.—Colleges - Aided—Liberalised Pension Scheme—Extension to teaching staff—Amendment.]

In partial modification of G.O. Ms. No. 1912, Education, dated 16th November 1973, the Government direct that the Liberalised Pension Scheme shall be applicable to all the teaching staff of the aided colleges with effect from 2nd October 1970 including those, who have attained 58 years prior to 2nd October 1970, but continued in service after that date as per the University regulations.

K. DIRAVIAM,
Secretary to Government.

(Letter No. 5651/G1/74-6, Education, dated 6th June 1974 addressed to the Accountant-General, Tamil Nadu, Madras-18.)

1. *

2. The insurance scheme will not be compulsory in the case of Aided College teachers governed by the Liberalised Pension Scheme, as in the case of school teachers.

3. In G.O. Rt. No. 572, Education, dated 9th March 1973 the Government have already ordered that the form of Service book maintained for the Government College staff may be adopted for the Aided College Staff also. The Director of Collegiate Education has been instructed to issue a circular to the managements of all aided colleges to emphasise the need to maintain Service books. I am to request that the existing procedure of admitting pension with reference to the particulars certified by the Director of Collegiate Education may please be continued till Service books are opened for the staff of aided colleges.

(Copy of letter No. 44578/G1/74-4, dated 16th August addressed to the Accountant-General, Madras-18.)

[Subject.—Liberalised Pension Scheme to teachers of aided Colleges—Clarification.

Reference—

Your letter No. PVIII/TW/3-28/73-74/181, dated 29th May 1974.

Regarding paras 7 and 8 of your letter cited, I am directed to invite a reference to para 1 of G.O. Ms. No. 1912, Education, dated 16th November 1973 wherein the Government have clearly ordered that the Liberalised Pension Scheme, relating to Pension, applicable to Government servants *from time to time*, shall be extended to the teachers of aided colleges. It automatically follows that any amendment issued to the rules subsequently, shall be applicable to the aided colleges teachers also. The illustration given in para 1 of the G.O. cited, was based on the rules in force on the date of issue of the G.O. Hence calculation of pension on 10 months, average pay (ordered in G.O. Ms. No. 1, Finance, dated 2nd January 1974) and retirement on the last working day of the month in which the individual attains the age of superannuation [ordered in G.O. Ms. No. 1606, Finance, (Pension), dated 20th December 1973] shall be applicable in the case of teachers of the aided colleges also and pension may be regulated in such cases, as ordered above. No amendment to the G.O. seems necessary.

(VII) TEACHING STAFF WHO RETIRED FROM AIDED TECHNICAL EDUCATIONAL INSTITUTIONS.

(Copy of G.O. Ms. No. 650, Education, dated 23rd April 1975.)

Technical Education—Teaching staff of Aided Technical Educational Institutions—Benefits of Liberalised Pension Rules, etc., extended with effect from 1st January 1975.

Read the following papers:—

From the Director of Technical Education 19798/C2/69, dated 16-6-73 and 106495/D5/73, dated 2-2-74 and 9-4-74.

ORDER.

The Government have decided to extend to the teaching staff of Aided Technical Educational Institutions (i.e. Aided Engineering Colleges and Aided Polytechnics) with effect from the 1st January 1975, the same retirement benefits as are admissible from time to time to teaching staff of Aided Colleges of Arts and Sciences.

PENSION.

2. The teaching staff retiring from Aided Technical Educational institutions on or after the 1st January 1975 shall be allowed Pension (but not gratuity) at the rates admissible under the Liberalised Pension Rules applicable to State Government servants from time to time. t

3. The teaching staff of Aided Technical Educational institutions will, in common with such staff of Aided Colleges and non-Government Schools (who have been brought under the Pension scheme since many years ago) be eligible for the following benefits provided for in the non-Government Teachers' Pension rules (*vide* in this connection para, 5 of G.O. Ms. No. 1223, Education, dated 29-8-74 and para, 5 of G.O. Ms. No. 1098, Education, dated 18-7-72):—

(i) regulation of qualifying service with reference to non-Government Teachers' Pension Rules, which provide for counting broken spells of service and service under all kinds of managements, etc.,

(ii) condoning deficiency in qualifying service.

(iii) qualifying service in other kinds of educational institutions (schools, colleges, etc.) will count for purposes of pension for teaching staff retiring from Aided Technical Educational institutions and vice versa. To avoid doubts, it is further clarified that for purposes of reckoning service as qualifying service it will be irrelevant whether during any period (which can otherwise be taken as qualifying service) an individual getting retirement benefits under this scheme (i) was contributing to Provident Fund or not or (iii) was subscribing to Insurance schemes or not.

“Provident Fund for Staff of Aided Educational Institutions” to continue to Govern teaching staff of Aided Technical Educational institutions.

4. The teaching staff of Aided Technical Educational institutions will not however, be eligible to get any Gratuity under the Liberalised Pension Rules. In lieu of that benefit, they will continue to get the benefit of Contributory benefit Fund under the “Provident Fund Rules for the staff of the Aided Educational institutions”.

FAMILY PENSION.

5. Families of teaching staff of Aided Educational institutions who retired on or after 1st January 1975 and who die thereafter, as well as such teaching staff who die while in service on or after the 1st January 1975 shall be eligible for Family Pension. Their terms of Family Pension will however be governed not by the provisions of the Government Servant's Family Pension rules but by the provisions of Family Pension applicable to teaching staff on Aided colleges [*vide* G.O. Ms. No. 1671, Education, dated 15-7-63; G.O. Ms. No. 380, Education, dated 9-4-69, and G.O. Ms. No. 2003 Education, dated the 20th December 1972), main feature of the latter provision being that the rates of Family Pension will be, half the relevant rates applicable to Government servants of corresponding rank, subject however to the minimum rates of family Pension (applicable from time to time) being allowed in all cases where Family Pension is admissible.

Date of effect of benefits.

4. The monetary effect of the benefits of Pension and Family Pension newly given in this order shall be from the date on which the benefit accrues or 1-1-75 whichever is latter and arrears for the periods from 1-1-75 shall be allowed where due.

5. The expenditure will be debited to "266. Pension and Other Retirement benefits—k. Pensions to Employees of State Aided Educational institutions I. Non-Plan—AB. Pensions to teachers of Aided schools, Schools of Local Bodies, and Aided Colleges and to non-teaching staff of Aided Schcol." and to "266—k-I-AD. Family Pensions".

C.G. RANGABASHYAM,
Secretary to Government.

(VIII) NON-TEACHING STAFF OF AIDED SCHOOLS.

(G. O. Ms No. 627, Education, dated 11th May 1972.)

[*Subject.—Pension—Liberalised Pension Scheme for non-teaching staff aided Schools—Orders issued.*]

Read—the following papers:—

From the Director of School Education Letter No. 84243/PDS/71, dated 22nd October 1971.

ORDER.

The Government direct that the Liberalised Pension Scheme providing for pension, Gratuity and Family pension, applicable to the teaching staff of aided schools, be extended to the non-teaching staff of aided schools with effect from 1st April 1972. The Scheme will apply to all members of the non-teaching staff like Clerks, Attenders, etc., who are employed on regular incremental scales of pay in aided schools including aided special schools, schools for the handicapped, Oriental Schools and Anglo-Indian Schools, under the control of the Education Department. The amount of pension shall be subject to a minimum of Rs. 40 per mensem (see alone for subsequent increase in Minimum pension).

2. No Government contribution to the Provident Fund of the above staff shall be paid after 1st April 1972.

3. The authority competent to sanction pension and other benefits under the scheme to the teaching staff of aided schools shall sanction the benefits to the non-teaching staff also. The rules applicable to the teaching staff of aided schools shall apply to the non-teaching staff also in respect of this scheme.

K. DIRAVIAM,
Secretary to Government.