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Government of Kerala
2017



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Co-operation (A) Department

NOTIFICATION

G. O. (P) No. 13/2017/Co-op. Dated, Thiruvananthapuram, 6th March, 2017
22nd Kumbham, 1192.

S. R. O. No. 107/2017.—In exercise of the powers conferred by sub-section (1) of section 80A of the Kerala Co-operative Societies Act, 1969 (21 of 1969), the Government of Kerala hereby make the following scheme further to amend the Kerala Co-operative Societies Employees Self-Financing Pension Scheme, 1994 issued under Notification, G.O. (P) No. 44/95/Co-op. dated 14th March, 1995 and published as S. R. O. No. 323/95 in the Kerala Gazette Extraordinary No. 251 dated 14th March, 1995, namely:—

SCHEME

1. *Short title and commencement.*—(1) This scheme may be called the Kerala Co-operative Societies Employees Self-Financing Pension (Amendment) Scheme, 2017.

(2) It shall be deemed to have come into force on the 1st day of April, 1998.

2. *Amendment of the scheme:*— In the Kerala Co-operative Societies Employees Self-Financing Pension Scheme, 1994 in Clause 23 (i) for sub-clause (1), the following sub-clause shall be substituted, namely:—

- (1) “Pension shall be granted to the family of an employee who dies,—
- (a) while in service; or
 - (b) after his retirement where he was in receipt of superannuation pension or retiring pension.”

By order of the Governor,

P. VENUGOPAL, IAS,
Special Secretary to Government.

Explanatory Note

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

The Kerala Co-operative Societies Employees Self-Financing Pension Scheme, 1994 was framed by the Government of Kerala in exercise of the powers conferred by section 80A of the Kerala Co-operative Societies Act, 1969 (21 of 1969) for the establishment of pension fund for payment of pension to the employees of the societies. As per sub-clause (1) of clause 23 of the said Scheme, pension shall be granted to the family of an employee who dies while in service or after his retirement where he was in receipt of a superannuation pension or retiring pension.

As per G.O. (P) No. 53/2001/Co-op. dated 7th March, 2001 and published as S.R.O. No. 271/2001 in the Kerala Gazette Extraordinary No. 387 dated 14th March, 2001 the provision as to family pension to the family of an employee who retired voluntarily was deleted with effect from 1st April, 1998. The Hon'ble High Court in its judgement dated 11th November, 2015 in W. P (C) No. 17853/2013 declared clause 23 of Kerala Co-operative Societies Employees Self-Financing Pension Scheme, amended as per the G.O. (P) No. 53/2001/Co-op. dated 7th March, 2001, as void and unconstitutional as it being arbitrary and irrational. Government have therefore considered the matter in detail and decided to amend the said provision.

This notification is intended to achieve the above object.