

## ABSTRACT

Pension to Staff Non-Government Educational Institutions Teaching Staff of Aided and Local Body Schools and teaching staff of aided colleges who resigned before the relevant crucial dates - Eligibility for pension from 5-6-81 clarificatory orders issued.

### DEPARTMENT OF EDUCATION SCIENCE AND TECHNOLOGY

G.O.Ms.No.37

Dated : 5-1-1983

#### ORDER:

The crucial dates from which the pension scheme for staff of non government educational institutions was introduced for various categories of staff in non-govt. educational institutions and the dates from which those who retired before the crucial dates were allowed pension are as follows.

		Date from w. h i c h p e n s i o n scheme was introduced	Education GO Ms. No. Date	Those who retired befo re crucial dates allo wed pension from	Edu. GO. No. & Date
(I)	(a) Teaching Staff of Aided and Local body (Aided for purpose of retirement benefits always includes recognised "un aided" Schools also. Including Anglo Indian Schools)	1-4-65	<u>1109</u> 31-5-58	1-3-68	<u>1505</u> 24-9-68



		Date from w h i c h p e n s i o n scheme was introduced	Education GO Ms. No. Date	Those who retired befo re crucial dates allo wed pension from	Edu. GO. No. & Date
	(b) Teaching staff non-Government Schools in the transferred area.	1-11-58 to 1-1-62 before 1-11-56	<u>853</u> 16-4-62	1 - 3 68  1-5-77	<u>1505</u> 24-4-68  <u>1394</u> 76-77
(ii)	Non-teaching staff of Aided Schools	1-4-72	627/11-5-72	5-6-81	<u>1015</u> 5-6-81
iii	(a) Aided Col;leges - Teaching staff	1-4-62	<u>1671</u> 16-7-63	1-3-68	<u>1505</u> 24-9-68
	b) Aided Colleges- Non teching staff	1-4-76	<u>2213</u> 11-10-76	5-6-81	<u>1015</u> 5-6-81
iv	(a) Aided Technical Education Institutions Teaching staff	1-1-75	<u>650</u> 23-4-75	5-6-81	<u>1015</u> 5-6-81
	(b) Aided Technical Educational Institutions Non-Teaching Staff	1-4-77	<u>74</u> 12-1-78	5-6-81	<u>1015</u> 5-6-81
v	Regional Engineering College Tiruchirappali (all Staff)	1-1-75	1777/31-7-77	5-6-81	<u>1015</u> 5-6-81

2. Many beneficiaries under G.O.Ms.No.1505 dt 24-9-68 would have found 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 would be even difficult to check the service details and then calculate pension eligibility due to sheer lapse of time. To obviate hardship and difficulties the authorities sanctioning pension were in Govt. memo no. 21344/E6/68-5, Education, dt. 18-11-1968) 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 applicant.

3. When authorising sanction of pension from 1-3-68 (under G.O.Ms.No.1505/24-9-68) to Arumariammal who served as teacher in non-Government schools from 1912 to 1928 in G.O.Ms.No.1196 Education, dt. 15-7-75, the Government enunciated the following general principal regarding admissibility of Pension to Persons who had resigned before the relevant crucial dates:-



"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 even though 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 Education, dt.18-11-1968 allowing the sanction of minimum pension even in cases where records like "Teachers" service Registers are not available of where it is difficult to verify the service particulars of Teachers".

4. Even in cases of "resignation" after the crucial dates, the Government have in a number of hard cases of particular individuals, relaxed the stipulations and allowed retirement benefits to "resigned" teachers also.

5. When Pension was sanctioned from 5-6-81 to non-teaching staff etc., Who had retired before the crucial dates, the following specific orders were issued.

- (i) the minimum pension admissible may be sanctioned on the basis of collateral evidence even where service books are not available and where no records are available to verify the service particulars.
- (ii) Pension can be sanctioned even in cases where the incumbents had "resigned" since they could not have foreseen the institution of pension scheme at the time they "resigned".
- (iii) In the case of Invalidation on Medical grounds Pension can be sanctioned even in cases where the procedure prescribed in the Tamilnadu Pension code had not been followed (G.O.1483, Edn./27-8-73).

6. As regard those who retired before the crucial dates, In the case of non-Teaching staff etc. who were given Pension benefits in para 6 of the G.O.1015/5-6-81 permitting the allowing of pension to 'Resigned' persons also; but there are no such general instructions permitting the allowing of pension to "Resigned" teachers (who were given pension benefits from 1-3-68 as per G.O.Ms.No.1505/dt.24-9-68). Orders are however being issued in individual cases of such teachers who had "resigned" before the crucial dates. In this context, the Accountant General has asked for a clarification on the following two points:-

- (i) Whether it is the intention of the Government to allow pension to all the teaching staff of Aided and Local Body Schools and Teaching Staff of Aided Colleges who had "resigned" from service prior to the respective crucial date/dates of the respective Government order introducing pensionary benefits?
- (ii) and if so, whether they are eligible to draw pension from 1-3-63 with reference to Government Order Ms.No.1505, Edn., dt. 24-9-68 read with Government Memo, No.21344/E8?68-5, Edn. dt. 18-11-68.

7. The Government now clarify point(i) above in the affirmative i.e., the



staff in question may be sanctioned pension by the respective authorities competent to sanction pension (without the need for any specific orders of any higher authority or of Government condoning the "resignation" in each Individual case)

8. However, as regards point (ii) above, the Government direct that the persons benefited with reference to the above clarification need be allowed pension only from 5-6-81 and that no arrears need be allowed for period prior to 5-6-81

9. This order issued with the concurrence of the Finance Department vide its U.O.No.144586/Pen 82-1, dt. 10/14-12-82.

(By order of the Governor)

Sd. C.RAMDAS,  
Comm. and Secretary to Govt.

/True copy/