

GOVERNMENT OF TAMILNADU

ABSTRACT

Pension Scheme for staff of Non-Govt. - Education Institution - Rule 10(b) breaks in service - Admission of services prior to breaks except in cases where interruptions caused due to removal from service - Proposal of Acct. General, Madras - Recorded and communicated.

G.O. Ms.No.1364

Dated 14.12.87

From the Deputy Acct. General (Pension) Letter No.AG, &R)PVB/T/3- G/87-88/III, dt.10.6.87

I am to state that rule 10(b) of the Pension Rules for staff of Non-Government, Educational Institutions reads as follows:

If there are breaks in service on account of any reason such breaks shall not have the effect of forfeiting the past service, provided the teacher had been discharged (or) retired as per rules and orders.

Though the said rule does not contemplate furnishing a certification to the effect that the teacher was discharged as per rules and orders prior to due breaks, yet in practice this office has been insisting on what is called a break certificate from the department. On a scrutiny it is found that the breaks in service are mostly caused due to the following factors.

a. Resigned, b. Left on own accord, c. relieved at his own request, d. substitute period over, e. ousted, f. terminated for want of vacancy, g. removed from service.

Even as for break in 1958 in Govt. letter No.114665-EG/58-9, Heath, Edn. and L. department, dt.13.10.58, it was stated that resignation in the case of those governed by the Teacher's pension rules does not entail forfeiture of past service.

Looking at the Govt. side, the counting of services prior to interruptions in services, has undergone radical changes with the issue of G.O.492/ in (pension) dt.28.6.1977, which states that interruptions in service shall not entail forfeiture of past services, except when a person was removed from service earlier and re-employed.

Therefore, going by the letter and spirit of Rule 10(b) of the Pension Rules for staff of non-Govt. Educational Institutions, read with G.O.Ms.No.182/FIN(pen), dt.22.5.1977, we now propose to admit the services prior to breaks in services, except in cases where the interruptions have been caused due to removal from services, without insisting on a break certificate as such indications to the contrary in service records will however be taken due note of.

Yours faithfully,

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Deputy Acct. General (pen)

-/True Copy/-