

THE HIGH COURT OF KERALA

A3-15/2019

Kochi-682031
Dated: 14.02.2020

OFFICIAL MEMORANDUM

Sub: High Court Establishment – Kerala Service Rules – Undertaking agreeing to refund excess pay and allowances mistakenly paid to the employees – Furnishing of -Government Order – Implementation of – Reg.
Read: G.O(P)No. 169/2019/Fin dated: 13.12.2019

As per the Government order read above, Government have issued orders instructing to furnish an undertaking in the prescribed format, agreeing to refund excess pay and allowances mistakenly paid to the employees. Consequent to the above Government Order, the following orders are issued:

1. the G (Accounts-I) section shall obtain an undertaking in duplicate from all the Gazetted Officers of the High Court including those on deputation and Part-time contingent employees and temporary appointees from Employment Exchange for 179 days, in the prescribed format as stipulated in the G.O read above. In the case of Gazetted Officers and deputationist, one copy of the undertaking shall be sent to the Accountant General through the Drawing and Disbursing Officer concerned and shall keep the other copy under safe custody of Drawing and Disbursing Officer/Head of Office and in the case of Part-time contingent employees (including temporary appointments from Employment Exchange for 179 days) one copy of the undertaking shall be pasted in the service book of the employee with supporting entries in the service book, and shall keep the other copy under the safe custody of Drawing and Disbursing Officer/Head of Office;
2. the G (Accounts-II) section shall obtain an undertaking in duplicate from all the Non Gazetted employees of the High Court including those on deputation and temporary appointments from Employment Exchange for 179 days in the prescribed format as stipulated in the G.O, and shall paste one copy of the same in the service book of the employee with supporting entries in the service book, and shall keep the other copy under the safe custody of Drawing and Disbursing Officer/Head of Office;
3. the G (Accounts-III) section shall ensure that the terminal surrender of earned leave of the Gazetted Officers/Non Gazetted employees of the High Court, who retire before the accrual of their next increment will be sanctioned only after the undertaking is furnished by the incumbents in the prescribed format as stipulated in the G.O;
4. the G (Accounts I & II) sections shall also ensure that in the case of employees who are on leave or under suspension the undertaking is furnished within three months from the date of rejoining duty, and increments accruing after three months from the date of rejoining duty shall be sanctioned only after the undertaking is furnished;

CPTD)

5. the G (Accounts I, II & III) sections shall ensure that in the cases not covered under Para 3 (I), (ii) & (iii) of the G.O.(P) No.169/2019/Fin dated: 13/12/2019, last month's salary shall not be processed until the undertaking is furnished;
6. all Gazetted and Non Gazetted employees of the High Court (including temporary appointments from employment exchange for 179 days), except those who are on leave or under suspension shall submit their undertaking in duplicate in the prescribed format as stipulated in the G.O read above, to the G (Accounts I) or G (Accounts II) sections as the case may be, on or before **12.03.2020**. **They are further informed that increments accruing after this date will be sanctioned only after the undertaking is furnished;**
7. the A section will take steps to request the employers of the High Court employees on deputation, to direct the deputationists to file the undertaking in duplicate in the prescribed format as stipulated in the G.O read above to the G (Accounts I) or G (Accounts II) sections, High Court as the case may be, on or before **12.03.2020**, and
8. in the case of new entrants to High Court service, G (Accounts I) / G (Accounts II) sections shall obtain the undertaking at the time of opening of Service Book and follow the procedure prescribed in para 1 & 2.

The controlling officers of the above mentioned sections should ensure that the instructions are followed without fail.

(By Order)


K. Haripal
Registrar General

To
The G (Accounts I, II & III) Sections, High Court
The Finance Wing, High Court
The A Section, High Court

Copy to

The Joint Registrars, High Court
The Deputy Registrars, High Court
The Deputy Registrar, Kerala Judicial Academy, Athani
The Public Relations Officer, High Court.
The Protocol Officer, High Court.
The Finance Officer, High Court.
The Private Secretary to the Chief Justice, High Court
The Assistant Registrars and the Chief Librarian, High Court
The Private Secretaries to Judges, High Court
The Librarian, Kerala Judicial Academy, Athani
All Section Heads, High Court.
The Section Head, Kerala Judicial Academy, Athani
The Superintendent (Vehicles), High Court.
The Civil Sergeant, High Court.

They shall bring the contents of this O.M to the notice of the members (including those who are on Leave) working under their control.

(PTO)

The Confidential Assistants to the Director and Additional Director,
Kerala Judicial Academy, Athani
The Confidential Assistants to the Registrars and
Additional Registrar (General Administration), High Court.
The IT Section, High Court (for publishing the O.M along with a copy of
the Government Order, in the High Court website)
The Administrative Records Sections, High Court.
The Notice Board, High Court.
The File/Stock file.



GOVERNMENT OF KERALA

Abstract

FINANCE DEPARTMENT – THE KERALA SERVICE RULES –
UNDERTAKING AGREEING TO REFUND EXCESS PAY AND
ALLOWANCES MISTAKENLY PAID TO THE EMPLOYEES -
FURNISHING OF – ORDERS ISSUED.

FINANCE (RULES – A) DEPARTMENT

G.O.(P) No.169/2019/Fin

Dated, Thiruvananthapuram, 13/12/2019

ORDER

During the service of an employee there may occur certain circumstances which lead to recovery of excess monetary benefits wrongfully extended to him due to various reasons such as irregular fixation of pay on promotion, revision of pension, grant of a status or grade which the employee concerned was not entitled to, payment of salary on a higher scale and other cases. When the excess payment is detected by the authorities, the excess amount will be recovered from him.

2. In certain cases such as, revision of pay and pension consequent on revision of pay scales, grant of time bound higher grade, sanction of pension etc., an undertaking is obtained from the employees to the effect that the excess pay and allowances/pension, if any, made to them will be refunded. But there are several other instances such as wrongful grant of increment, fixation of pay on promotion, payment of leave salary etc. where such prior undertaking agreeing to refund the excess payment is not obtained.

3. The Government have examined the matter in detail and are pleased to issue the following orders:

(i) All Non Gazetted employees, including those on deputation will furnish the undertaking in duplicate in the Form appended and one copy will be pasted in the service book of the employee with supporting entries in the service book and the other copy will be kept under the safe custody of Drawing and Disbursing Officer/Head of office. The Gazetted officers including those on deputation will furnish the undertaking in duplicate and one copy will be sent to the Accountant General through their Drawing and Disbursing Officers concerned and the other copy will be kept under the safe custody of Drawing and Disbursing Officer/Head of office. All the employees will submit the undertaking within three months from the date of this order. Increments accruing after three months from the date of this order will be sanctioned only after the undertaking is furnished.

(ii) The employees who are on leave or under suspension will furnish the undertaking within three months from the date of rejoining duty. Increments accruing after three months from the date of rejoining duty will be sanctioned only after the undertaking is furnished.

(iii) In the case of those who retire before the accrual of their next increment, their terminal surrender of earned leave will be sanctioned only after the undertaking is furnished.

(iv) In the cases not covered under Para 3 (i), (ii) and (iii), last month's salary will not be processed until the Undertaking is furnished.

4. The Chief Project Manager, SPARK will ensure compliance of these directions in SPARK.

5. Necessary amendments to the Kerala Service Rules will be issued separately.

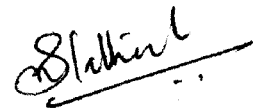
(By order of the Governor)
SANJEEV KAUSHIK IAS
Principal Secretary (Finance)

To

The Principal Accountant General (A&E), Kerala, Thiruvananthapuram
The Principal Accountant General (G&SSA), Kerala, Thiruvananthapuram.
The Accountant General (E&RSA), Kerala, Thiruvananthapuram.
All Secretaries, Additional Secretaries, Joint Secretaries, Deputy
Secretaries and Under Secretaries to Government
All DDOs

The Chief Project Manager, SPARK
All Heads of Departments
All Departments and Sections of the Secretariat.
The Director of Treasuries, Thiruvananthapuram.
The Secretary, K.P.S.C, Thiruvananthapuram (with C.L.).
The Registrar, University of Kerala/Kochi/Calicut/MG/Kannur/Kerala
Agricultural University, Thrissur/Kerala Veterinary University/Health
University (With C.L.)
The Registrar, High Court (With C.L)
The Private Secretaries to the Chief Minister and other Ministers.
The Private Secretary to Speaker, Deputy Speaker. the Leader of
Opposition and Government Chief Whip.
The Director of Public Relations, Thiruvananthapuram.
The Secretary to Governor.
All District Treasuries/Sub Treasuries
The Nodal Officer, www.finance.kerala.gov.in.
The Stock File/Office Copy. (E.No. 1168356)

Forwarded / By order,



Accounts Officer.

ANNEXURE

UNDERTAKING (vide G.O.(P) No.169/2019/FIN dated 13/12/2019)

I hereby undertake that in the event of my pay, leave salary or pension or any other item having been fixed in a manner contrary to the provisions contained in the rules, as detected subsequently, any excess payment so made shall be refunded by me to the Government either by adjustment against future payment due to me or in cash.

Date:

Place:

Signature :

Name :

Designation:

PEN :

Countersignature of Drawing and Disbursing officer/Head of office with date

Name :

Designation:

PEN :