

No.09(20)/2023-E.II(A)
Government of India
Ministry of Finance
Department of Expenditure
E.II(A) Branch

New Delhi, the 1st June, 2023

OFFICE MEMORANDUM

Subject: Waiver of recovery of excess payment made to Government servants - General instructions for Ministries/Departments - reg.

The undersigned is directed to refer to DoP&T's instructions on the subject matter and to say that all the Ministries / Department are requested to adhere to the following instructions before referring the proposals involving waiver of recovery of excess payment to this Department:

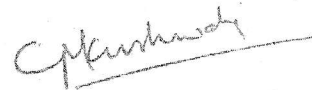
- i. All proposals involving waiver of recovery of excess payment made to Government servants as covered under the guidelines issued by DoP&T should necessarily be forwarded to this Department, for consideration, by the Administrative Ministry / Department of the effected individual(s).
- ii. The Ministries/ Department are required to examine such proposal(s) at first instance in terms of Rule 17 of DFPRs and it may be certified that the loss does not disclose a defect in rules or procedures. If so, the same shall be brought to the notice of Department / Ministry who has the power to amend the order. Further, it has to be certified that there has not been any serious negligence on the part of any Government servant which may call for disciplinary action by a higher authority.
- iii. The matter should be referred to this Department in a self contained note duly explaining the case(s) in chronological order. The cases which are fairly and squarely covered under any one of the five situations as mentioned in DoP&T's OM dated 02.03.2016 should be recommended by the Financial Advisor and approved by the Administrative Secretary.

iv. Cases which are sub-judice should be forwarded to this Department along with the final order of the Court. The grounds for implementing / not challenging the order may be suitably justified. As such, any legal advice, if sought, may also be provided.

v. The offices / divisions where such anomalies have occurred shall indicate the steps / measures adopted by them to contain the recurrence of such lapse(s) in future. If any inquiry has been made to fix the responsibility, the final report as well as action taken by the Ministry may be furnished.

vi. This Department has observed that the wrongful pay fixation goes unnoticed for a long period of time by the concerned authorities. Ministry may furnish suitable justification as to how such cases were not noticed during regular review, internal audit etc.

2. This has the approval of the Competent Authority.



(Chandra Prakash Kushwaha)
Under Secretary to the Govt. of India

To

1. All Ministries/Department of Government of India.
2. Financial Advisor of all Ministries/Departments of Government of India.