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GOVERNMENT OF KERALA

Personnel and Administrative Reforms (AR-14) Department

CIRCULAR

No. 18326/AR14 (1)/2011/P&ARD. Dated, Thiruvananthapuram, 29th October, 2012.

*Sub:—*Trainings and Programmes outside India—Participation of Personnel from Government Department, PSUs, Aided/Autonomous Institutions, Statutory Bodies etc.—Procedures to be followed—Revised instructions issued.

*Ref:—*Circular No. 15096/AR 14(1)/2006/P&ARD dated 29-10-2008.

Government have in the reference cited, issued detailed instructions to be followed for Sponsoring Officers, Scientists, Employees, Teachers, etc. of the State Government Departments, PSUs, Aided/Autonomous Institutions, Statutory Bodies etc. for participation in Trainings/Programmes abroad. But it has come to the notice of Government that the instructions issued are sometimes not strictly adhered to. Certain Departments/Institutions have even permitted officers to participate in programmes abroad without waiting for Government sanction. This has led to action against officials and also put Government in an embarrassing situation. Hence the following revised instructions are issued for strict compliance:

The following Foreign Programmes come under the purview of this Circular:

- Trainings
- Project/Research related programmes
- Assignments
- Foreign Study
- Fellowship/Assistanceship/Scholarship/Award for Higher Studies.
- Courses

- Conference
- Seminar
- Workshops, etc.

I. General Instructions to be followed:

- (i) All proposals for participating in programmes outside India require the approval of the Chief Minister.
- (ii) The Heads of Departments/Undertakings/Institutions, etc. should forward the proposal to the Administrative Department concerned in Government with proper recommendation along with the request of the incumbent and with the prescribed Check List duly filled up and countersigned by the Head of the Department. (**Appendix-I** to this Circular).
- (iii) The Administrative Department concerned will examine the proposal based on the conditions stipulated in this Circular and if the conditions are satisfied, the Department will issue orders after circulating the file to the Chief Minister through the Minister concerned. In case the remarks of Personnel and Administrative Reforms Department is necessary (eg. cases requiring relaxation of conditions) the Administrative Department will forward the file to Personnel and Administrative Reforms Department with the specific point on which remarks is sought for.
- (iv) Heads of Departments and Chief Executives of State Public Sector Undertakings/Statutory Corporations/Autonomous Bodies shall not nominate themselves or officials under them for any programme of Training/Fellowship/Award for Higher Studies/Research/Study Tour etc. or for participation in any Conference, Seminar or Workshop abroad, except through State Government. They shall forward the proposal to the State Government from where nomination will be made to Government of India/the sponsor abroad in accordance with the procedure to be followed in each case.
- (v) In respect of Officers/Scientists working in Institutions set up under the Kerala State Council for Science, Technology and Environment the approval of the Executive Committee of the

Institution and recommendation of the Science, Technology and Environment Department is required sufficiently early before the commencement of the programme/receipt of nomination from Government of India.

II. Foreign Programme by Direct Invitation by Foreign Professional Organizations/Universities

The Scientists and other Technical persons should not directly accept invitations from any Foreign Government/Foreign Professional Organizations/Universities. But in some cases, the participation of Scientists and other Technical persons may be allowed, i.e., for trainings which are not only a recognition of the concerned person but also is of benefit to the State. The experience and the knowledge gained by participating in such programmes, can be utilized for the benefit of the State. Hence, Scientists and other Technical persons who receive invitation to participate in International programmes may ordinarily be granted permission subject to the following conditions:—

- (a) An Officer can attend 2 programmes in a calendar year irrespective of the period of programme.
- (b) No expenditure will be met by State Government.
- (c) The participants are allowed to take eligible leave/LWA.
- (d) The Heads of Department concerned should recommend the proposal to the effect that the participation of the incumbent in the programme can be utilised for the benefit of the Department/State.

III. Foreign Programmes Sponsored by Government/Government Agency

In case of Officers, who are sponsored by the State or Central Government/Government Agency for approved training programmes/courses of studies, etc., permission may be given for participation subject to the following conditions:—

- (a) Preference should be given to those who have worked on related research programmes and whose papers have been accepted.
- (b) For officials who have an official function to perform or a paper to be presented at the Conference/Seminar, etc. full deputation will be granted.

- (c) The period will be treated as on duty for the days required for the to and fro journey and the entire period of the programme with full salary.
- (d) Opportunity should be given to all officers specialized in the disciplines concerned in an equitable manner for participation in the programme.
- (e) If Government of India sanction is required for attending the Conference/Seminar, etc. deputation shall be subject to such conditions as may be imposed by the Government of India in each case.
- (f) As regards cases where the candidates submit applications to Central Ministries/Autonomous Organization etc., in response to notifications issued by them, salary for the period of Foreign Assignment and local cost, will be admissible only if it is one of the specific conditions stipulated in the notification covering the general scheme of the Foreign Assignment.

IV. Following are the general eligibility criteria for selection of candidates for foreign programmes sponsored by Government/Government agency:

(i) *Status of Service:*

Should be a permanent/regular recruit/appointee of the department/body/institution.

(ii) *Qualification:*

Should possess the qualifications, experience etc. prescribed by Government.

(iii) *Willingness:*

Should be willing to undergo/attend the programme.

(iv) *Minimum Service:*

In General Cases recommendation by the Head of Department may be considered. However, in case the foreign organizations or Universities prescribe a different minimum service, which would be accepted.

(v) *Age Limit:*

The candidate undergoing short-term/very short term trainings/programmes etc. should have at least 3 years of remaining service and the candidate undergoing long-term training/programmes should have at least 5 years of remaining service from the date of his/her return to the Department. In case the foreign organization/Institution prescribe an upper age limit for a training programme, the same will prevail.

(vi) *Cooling-off condition for Foreign Training Programme:*

- (a) Officers deputed for short term training programmes are required to complete a cooling off period of five years for any further foreign training.
- (b) Officers deputed for Long Term Training Programmes are required to complete a 'cooling off' period of seven years before being considered for any further foreign programme.
- (c) An Officer can attend a maximum of three programmes of duration of over 6 months in his/her career;

(vii) *Duration of Long Term and Short Term Programme:*

- (a) Training Programmes abroad of a duration of **six months or more** are treated as **Long Term**.
- (b) Training programmes abroad of duration of **15 days or more but less than six months** are treated as **Short Term**.

(viii) *Preferential Categories:*

Preference should be given to those officers who have not attended any foreign training programme, women officers and officers belonging to SC/ST category. Preference should also be given to field level officers.

(ix) *Vigilance/Disciplinary Clearance:*

Officers should be free from vigilance/disciplinary cases. Officers against whom any vigilance case or disciplinary proceedings is pending should not ordinarily be considered for foreign tour or assignment. For this purpose, vigilance enquiry means an enquiry after the filing of FIR. Disciplinary proceedings will be considered to be pending only after the issue of charge memo.

V. General Conditions

- A. No-Government servant or official of a Public Sector Undertaking/ Autonomous Body/Institution shall, while visiting a country or territory outside India, accept any foreign hospitality, stipend, foreign assignment, or undergo any other course of training without prior Government sanction.
- B. Applications once made and willingness/consent once exercised for foreign training will not be allowed to be withdrawn under any circumstances other than on health ground and circumstances beyond the control of the individual. In case, an officer does not file his/her nominations/papers after being duly nominated, he/she will be debarred from any foreign training programme for two years and for officers who fail to attend the said training course after being selected, there will be a debarment of 5 years.
- C. **Participation in programmes abroad without Government sanction is irregular and subsequent requests for ex-post facto sanction and regularization of overstay will not be entertained.**
- D. All Government Officials and Officials of Public Sector Undertakings/Statutory/Autonomous Bodies and Institutions set up under the Council for Science, Technology and Environment undergoing approved Foreign Programme of Training/Fellowship/ Assistanceship/Award for Higher Studies and Research and Study Tour/Conference/Seminar/Workshop are directed to strictly furnish reports on return covering all aspects of the tour to their respective Authority/Department.

VI. Execution of Bond

A candidate selected for programmes abroad for a period of one month or more but not more than 1 year and where the period of absence is treated as on duty has necessarily to execute a bond in stamp paper of ₹ 100 in the prescribed form in favour of the State Government for the security of ₹ 2 Lakhs (Two Lakhs only) binding himself/herself to serve Government/ Institution concerned for a period of not less than 4 years on return from abroad. In the case of programmes above 1 year, the bond amount will be ₹ 4 Lakhs. It will be the responsibility of the Head of the Department concerned to ensure that the bond is got duly executed (in triplicate) before he/she is relieved to proceed for the programme abroad (Format of the bond is appended as **Appendix-II**). The Head of the Department concerned will be held personally

responsible for the financial loss, if any, sustained by State Government/Body/Institution either due to the non-execution of the bond by the candidate or due to defects, if any, in the bond executed. In regard to the execution of the bond, the following aspects should be borne in mind by the Heads of Departments:—

- (i) The bond executed is in no respect at variance with the form of the bond approved by Government and prevalent at the time of execution.
- (ii) The solvency certificates issued by the Revenue Authorities are appended to the bond in respect of the sureties who are not permanent Government Servants.
- (iii) In case the sureties are permanent Government Servants, a declaration to that effect duly countersigned by a Gazetted Officer, is appended to the bond.
- (iv) All corrections, typographical or otherwise are initialled by the candidate executing the bond.
- (v) The candidate attending short-term training or programme/seminar etc., should have at least 3 years of balance period and the candidate undergoing long-term programmes should have at least 5 years of balance period in his/her service till his superannuation to serve State Government/Body/Institution after completion of the training.

VII. It is again brought to the notice of all concerned that incomplete proposals, without cadre clearance, vigilance and disciplinary clearance; without proper recommendation of the Head of Department, proposals not received in Government in time will be rejected without notice.

VIII. All concerned are also directed to exercise powers as delegated. Exercising powers beyond delegated level shall entail suitable disciplinary action. **If any such violation, misuse of powers and irregularities are committed, it will be viewed seriously.**

The Circular cited under reference hereby stands cancelled.

NIVEDITA P. HARAN,
Additional Chief Secretary.

To

All Additional Chief Secretaries.

All Principal Secretaries/Special Secretaries/Secretaries to Government.

All Heads of Departments.

All District Collectors.

The Director, I & PRD, Thiruvananthapuram.

The Secretary, Kerala Public Service Commission.

The Registrar, High Court, Ernakulam (with C.L.).

The Registrar, University of Kerala, Thiruvananthapuram (with C.L.).

The Registrar, Cochin University of Science and Technology (with C.L.).

The Registrar, Mahatma Gandhi University (with C.L.).

The Registrar, University of Calicut (with C.L.).

The Registrar, Kerala Agricultural University, Thrissur.

The Registrar, Kerala University of Health Sciences, Thrissur (with C.L.).

The Registrar, Sree Sankaracharya University of Sanskrit, Kalady
(with C.L.).

The Registrar, Kannur University (with C.L.).

The Private Secretary to Chief Minister and other Ministers.

The Private Secretary to Leader of Opposition.

All Public Sector Undertakings/Statutory/Corporation/Autonomous
Bodies in the State.

All Departments/All Sections of the Secretariat including Law, Finance
and Legislature.

Additional Secretary to Chief Secretary.

P. A. to Additional Chief Secretary (AR& T), P & ARD.

മേലേഴുത്ത് നമ്പർ ബി2/42711/2014/കോ.വി.വ തീയതി: 01.12.2014

1. എല്ലാ ഗവൺമെന്റ് കോളേജ് പ്രിൻസിപ്പൽമാർക്കും ഡെപ്യൂട്ടി ഡയറക്ടർമാർക്കും സർക്കുലറിന്റെ പകർപ്പ് അറിവിലേയ്ക്കായി അയയ്ക്കുന്നു.
2. ഡിസെക്ഷൻ (പകർപ്പ് എയ്ഡഡ് കോളേജ് പ്രിൻസിപ്പൽമാർക്ക് അയച്ചുകൊടുക്കേണ്ടതാണ്)

ഒപ്പ്/-
പിജയരാജ്
സീനിയർ അഡ്മിനിസ്ട്രേറ്റീവ് ഓഫീസർ

പകർപ്പ്:- നടപ്പ് ഫയൽ/ കരുതൽ ഫയൽ

//അംഗീകാരത്തോടെ//


സുപ്രണ്ട്