



GOVERNMENT OF KERALA

Personnel and Administrative Reforms (AR-14) Department

CIRCULAR

No. 15096/AR14(1)/06/P&ARD.

Dated, Thiruvananthapuram, 29th October, 2008.

Sub:—Foreign Programme of Training/Fellowship/Assistanceship/Awards for Higher Studies/Research and Study Tour/Conferehce/Seminars/Workshops—Sponsoring of Government Officials and Officials of Public Sector Undertakings/Statutory/Autonomous Bodies and Institutions set up under the Kerala State Council for Science Technology and Environment—Procedure to be followed—Modified Instructions issued—Reg.

- Ref.—1. Circular No. 17864/E1/98/P&ARD, dated 1-10-1999.
2. Circular No. 209/E1/2002/P&ARD, dated 15-3-2002.
3. Circular No. 680/AR14(1)/06/P&ARD, dated 18-3-2006.

Government have in the references cited issued detailed guidelines to be followed for sponsoring Officers, Scientists, Employees etc. of State Government Departments/Public Sector Undertakings/Autonomous Bodies etc. for participation in programmes abroad. But it has come to the notice of Government that the instructions issued are sometimes not strictly adhered to. Certain Departments/Institutions setup by Government even permitted officers for participation in programmes abroad without waiting for Government sanction. This very often put Government in an embarrassing situation. Hence, the following directions are issued again for strict compliance:

1. (i) All proposals for Foreign Training/Programmes abroad require the approval of the Chief Minister. Proposals for participation in Training/Programmes, Fellowships, Programmes connected with study purpose etc. abroad should be forwarded first to the concerned Administrative Department in the Secretariat. The concerned Departments in Secretariat will in turn

forward the nominations/applications to the Personnel and Administrative Reforms Department for remarks before taking orders of the Minister concerned. In respect of Officers/Scientists working in Institutions setup under the Kerala State Council for science Technology and Environment, the approval of the Executive Committee of the Institution and recommendations of the Science and Technology and Environment Departments are required.

- (ii) The Administrative Department shall forward the proposal for participation of Foreign Training Programme with recommendations to P&ARD for remarks sufficiently early before the commencement of programme last date prescribed for the commencement of Training/Receipt of nomination by Government of India
- (iii) 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 proposals 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.
- (iv) Invitation/offer for any programme of training course, fellowship, assistantship/award for higher studies or research or for participation in study tour, visit, conference, seminar or workshop abroad etc. extended by foreign Governments/Organisations or any outside agency, to officials should not be accepted or entertained unless they are routed through the Government of India in the nodal Ministry.
- (v) Foreign Training by Direct Invitation

The Scientists and other Technical persons should not directly accept invitations from any foreign Government/any outside agency but in some cases, the participation of Scientists and other Technical persons may be allowed for such training as it is not only a recognition to the confirmed persons but also is of benefit to the State. The experience and the knowledge gained by participation 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 Training programme may ordinarily be granted permission subject to the following conditions:

- (a) There is no expenditure by the State Government and the entire expenditure is met by the Organizers of the Training.
- (b) Request is received through the concerned Head of the Institution and approval of the Minister concerned and the Chief Minister is obtained.
- (c) The Officers participating in such programmes are allowed to take eligible leave, and in the absence of any other eligible leave, Leave without Allowance.

(vi) Foreign Conferences/Seminars/Workshops by Direct Invitation

Scientists and Technical persons participate in foreign Conference/Seminars/Workshops so as to enable the participants to enhance their experience and knowledge which can be utilized for the benefit of the State. Further, it will be a great recognition to the participants who attend the programme. Hence, Scientists and other Technical Persons who receive direct invitation to participate in International Conference/Seminar/Workshop may ordinarily be granted permission subject to the following conditions:

- (a) There is no expenditure by the State Government and the entire expenditure is met by the Organizers of the Conference/Seminars/Workshops.
- (b) Request is received through the concerned Head of the Institution and approval of the Minister concerned and the Chief Minister is obtained.
- (c) The Officers participating in such programmes will be granted eligible leave and in the absence of any other eligible leave, Leave Without Allowance for the to and fro journey and the days of the Conference/Seminar/Workshops.

(vii) 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.

(viii) Foreign Training Sponsored by Government

In case of Offices, who are sponsored by the State Government in response to Government of India communications inviting nomination for

approved training programmes/courses of studies etc., the period of training will be treated as duty for admissibility of salary for the entire period.

(ix) Foreign Conference/Seminars/Workshops sponsored by Government

Government officials who have positive contributions to make in the Conference/Seminars such as presiding over any of the session, presenting papers etc. may be given permission for participation subject to the following conditions:

- (a) Preference should be given to those who have worked on related research problems 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/Seminars etc. full deputation will be granted.
- (c) Government officials who have been invited for Conferences/Seminars/Workshops will be treated as on duty for the days required for the to and fro journey and the days of the programmes.
- (d) Opportunities should be given to all officers specialized in all the disciplines in an equitable manner for participation in Conference, Seminar etc.
- (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.

(x) Foreign Assignment

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 of the general scheme of the Foreign Assignment.

- (xi) Applications once made and willingness/consent once exercised will not be allowed to be withdrawn under any circumstances other than on health ground and circumstances beyond 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.

~~(xi) 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.~~

(xiii) All Government Officials and Officials of Public Sector Undertakings/ Statutory/Autonomous Bodies and Institutions setup 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/Seminars/Workshops are directed to furnish reports on return covering all aspects of the tour to their respective Authority/Department.

II. Following are the general eligibility criteria for Selection of candidates:

- (i) Should be a permanent/regular recruit/appointee of the department/body/ institution.
- (ii) Should possess the qualifications, experience etc. prescribed by the Government of India.
- (iii) Should be willing to undergo/attend the programme.
- (iv) Minimum Service.

Officers should have completed a minimum of 9 years of service on the date of commencement of particular programme. However, in case a foreign Government or University prescribes a different minimum service that would be accepted.

- (v) Upper age limit:

Generally for Long Term Courses, the upper age limit followed is 50 years and for Short Term course, 53 years at the time of commencement of programme. However, in case where foreign Government/Institution prescribes a different upper age limit for a training programme, the same will prevail.

- (vi) Only one Long Term Programme:

An officer can attend only one long-term training programme in his/her service career.

(vii) Cooling-off condition:

- (a) An Officer having attended a foreign training programme of a duration of upto 15 days will be required to complete a 'cooling off' period of two years for being considered again for any foreign training;
- (b) Officers deputed for training abroad of a duration of more than 15 days and upto six months are required to complete a 'cooling off' period of three years for any further foreign training;
- (c) Officers deputed for training programmes abroad of a duration of more than six months are required to complete a 'cooling off' period of five years before being considered for any further foreign programme;
- (d) An Officer can attend a maximum of three foreign training programmes of a duration of more than 15 days in his/her career;
- (e) For Seminars/Workshops abroad of upto 2 days, no 'cooling off' would be required. Beyond that the principle applied for training will apply;
- (f) Project-related training/official visits abroad, are exempted from the provisions of 'cooling off'.

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

III. Duration of Long Term and Short Term Programmes;

- (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.

IV. 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 Rs. 100 in the prescribed form in favour of the State Government for the security of Rs. 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 Rs. 4 lakhs. It will be the responsibility of the Head of the Department concerned to see 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). The Head of the Department concerned will be held personally responsible for the financial loss, if any, sustained by the 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 the 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 should have at least 2 years of sufficient balance period in his/her service till his superannuation to serve the State Government/Body/Institution after completion of the training.

V. 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 routed through the concerned Administrative Department in the Secretariat and proposals not received in time will be rejected without notice.

VI. All concerned are also directed to be aware of the extend of power that they have, beyond which they should not take decision. If any such violation, misuse of powers and irregularities committed, it will be viewed seriously.

DR. AJAY KUMAR,
Secretary to Government.

To

All Additional Chief Secretaries

All Principal Secretaries/ Special Secretaries/Secretaries to Government

All Heads of Departments

All District Collectors

The DPR, Thiruvananthapuram

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

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

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

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

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

The Registrar, Kerala Agricultural University, Thrissur (with C.L.)

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

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

All Public Sector Undertakings/Statutory Corporations/Autonomous Bodies
in the State

All Departments of the Secretariat including Law, Finance and Legislature

Finance Department vide U.O. No. 70521/R2/07/Fin., dated 18-12-2007

Law Department vide U.O. No. 6618/F2/08/Law, dated 3-6-2008.

The Private Secretary to Chief Minister and other Ministers

Confidential Assistants to Principal Secretary P&ARD

Joint Secretary to Chief Secretary

The C.A to Additional Secretaries, P&ARD

Foreign Training—Bond to be executed by Officials assigned to Foreign Training

KNOW ALL MEN BY THESE PRESENTS that we Sri/Kumari Smt.....
 (Hereenter the name and address) (hereinafter called "the bounden") and

(1) Sri/Kumari/Smt.....and

(2) Sri/Kumari/Smt.....

(Here enter name and address) (hereinafter called "the sureties") do hereby bind ourselves and each of us/our and each of our heirs, Executors and Administrators jointly and severally to pay to the Governor of Kerala (hereinafter called "the Government") on demand the sum of Rs. 2,00,000 (Two lakhs)/Rs. 3,00,000 (Three lakhs only).

2. Signed and dated this.....day

of signed by Sri.....the bounden.

In the presence of witnesses:

(1)

(2)

Signed by Sri/Kumari/Smt.....

and Sri/Kumari/Smt.....

(the sureties)

In the presence of witnesses:

(1)

(2)

3. WHEREAS, the bounden Sri/Kumari/Smt
 has been selected to undergo training in.....
 (hereenter the purpose for a period of.....).

4. WHEREAS, the Government have agreed to pay the bounden during the period of the said training his pay, dearness pay and the dearness allowance which he would have drawn but for his undergoing the said training as per the Order Nodated..... and to treat the period of Training and the period of travel to and fro as duty and as service qualifying for increment, leave and pension if it will otherwise count.

5. AND WHEREAS, the Government have agreed to incur the said expenses on condition that after successful completion of the training within the prescribed period the bounden shall serve the Government, or any other Government or body corporate at whose disposal the Government may choose to place his services, in any Department, in any capacity consistent with his qualifications and experience, for a period of three/five years and also subject to the terms and conditions hereinafter appearing and the bounden and the sureties have agreed to the same.

6. Now, the condition of the above written obligation is that in the event of the bounden not conforming to or observing the rules and conditions regarding the training or of continued adverse reports regarding the progress of his training or discontinuing the training before the completion of the prescribed period of the training, without the prior approval in writing of the Government may direct for a minimum period of three/five years if so required by the Government, or in the event of contracting an infectious disease requiring prolonged hospitalization, forbidding the medical advisers/attendants from communicating the nature and condition of disease to Indian Missions concerned or Government or in the event of the bounden committing breach of the condition in clause 7, the bounden and the sureties shall forthwith pay to the Government all moneys spent on his account in respect of the said training or studies, tuition fees, travelling expenses, salary, allowances, return passage or otherwise on account of his having been selected as a stipendiary as aforesaid, not exceeding Rupees Two lakhs/Three lakhs and the interest thereon calculated at fixed Government rates then in force of Government loans from the date of demand and in the matter of deciding what moneys are to be paid by the bounden and the sureties. The decision of the Government shall be final and legally binding on the bounden and the sureties and upon the payment of such sum the above written obligation shall be void and of no effect, otherwise this shall be and remain in full force and effect.

7. The bounden shall not on his/her own initiative, on arrival or during his/her stay in the country of his/her training, approach the authorities responsible for his/her training abroad with request for extension of period/variation of conditions of training.

8. Provided further that the Bounden and the sureties hereby agree that all sums found due to Government under or by virtue of this bond may be recovered jointly and severally from them their properties movable and immovable, as if such dues were arrears of land revenue under the provisions of the Revenue Recovery Act for the time being in force or in such other manner as the Government may deem fit.

9. The liability of the sureties under this bond is co-extensive with that of the Bounden and shall not be affected by the Government giving time or any other indulgence to the Bounden or by the Government varying any of the terms and conditions herein contained.

Signed by the bounden.....

In the presence of witnesses:

(1)

(2)

Signed by the sureties Sri/Smt/Kumari

(1)

(2)

In the presence of witnesses:

(1)

(2)