



GOVERNMENT OF KERALA

FINANCE (PENSION-B) DEPARTMENT

**Government Orders on Disbursal of Pensionary Benefits
Without Delay to Employees Retired from Service**

G.O.(P)No.46/2023/FIN Dated, Thiruvananthapuram 08-05-2023



GOVERNMENT OF KERALA
Abstract

Disbursement of Pensionary Benefits without delay to Employees Retired from Service - Orders Issued.

FINANCE [PENSION-B] DEPARTMENT

G.O.(P)No.46/2023/FIN

Dated, Thiruvananthapuram, 08-05-2023

Read:- (1) GO(P)No.55/2019/Fin dated 04.05.2019.
(2) GO(P)No.67/2020/Fin dated 27.05.2020.
(3) GO(P)No.89/2021/Fin dated 28.06.2021.
(4) GO(P)No.90/2021/Fin dated 28.06.2021.
(5) GO(P)No.146/2021/Fin dated 05.11.2021.

ORDER

As per Government Order read 2nd above, Government have issued a comprehensive Government Order clarifying the procedures of issuing Liability Certificate/ Non Liability Certificate [LC/ NLC] on those cases when audit cannot be conducted /vigilance cases are going on, in order to avoid the delay in disbursement of pensionary benefits. As per Government Order read 3rd above, Government have clarified that Audit mentioned in Government Order read 1st is the statutory audit conducted by concerned Departmental Authorities and hence the Accountant General's Audit is not mandatory. Since in certain cases where retired Government servants who are having liabilities to Government are not submitting their personal copy of Gratuity Payment Order to concerned Treasury and subsequently treasuries not able to deduct their liability from Gratuity, the guidelines to be followed in such cases were issued vide Government Order read 4th above. Also the format of liability certificate that is to be furnished if Non-governmental dues are pending against a pensioner was issued vide Government Order read 5th above. As per Government Order read 1st above, it has been clarified that Liability/ Non-liability Certificate of a retiring employee must reach concerned Treasury at

retiring date itself. Now Government have noticed that existence of two separate types of liability certificates, may act as an impediment for Treasury Officials in releasing retirement benefits promptly.

2) In the above circumstances, Government are pleased to issue a comprehensive Government Order detailing the procedures to be followed while issuing absolute Liability/ Non-Liability Certificate.

Part I - Issuing Liability/ Non-Liability Certificate:-

(a) Every Pension Sanctioning Authority shall produce an absolute Liability/ Non-Liability certificate [LC/ NLC] to the Treasury for the release of pensionary claims which should clearly indicate the Government liabilities/ non Government liabilities. The format for Liability/ Non-Liability Certificate [LC/ NLC] is attached in Annexure-1.

(b) In cases where Government is the Pension Sanctioning Authority the Liability/ Non-Liability certificate [LC/ NLC] should be signed by

- (i) the Head of Department concerned except in their cases.
- (ii) the Secretary concerned of the Administrative Department if Head of Department retires.

The Authority concerned mentioned above must ensure that Liability/ Non-Liability certificates are invariably signed by himself/ herself.

Part II - Course of action

If both Government and Non-Government liabilities or multiple liabilities are pending against employees/ pensioners, following priorities may be adopted in descending order on such cases

- a. Government liabilities must be settled first.
- b. If absolute Government liability exceeds DCRG, the Treasury Officer should recover the admissible DCRG towards the Government liability. The balance amount towards Government

liability shall be recovered by the Pension Sanctioning Authority/ Authority concerned by way of other means prescribed in G.O(P)No.82/2022/Fin dated 04.07.2022.

- c. In cases where there are multiple Non-Governmental Liabilities, it shall be settled based on the date at which Undertaking has been submitted. [Undertaking issued first shall be settled first and so on]
- d. In cases where there are multiple Non-Governmental Liabilities with same date on which undertaking has been submitted, it shall be settled based on the date at which loan has been sanctioned. [Loan sanctioned first shall be settled first and so on]
- e. Clause I.1(b) of Annexure-1 (Non-Government liabilities) is applicable only in the case of pensioners, who submit a consent form as per Annexure-3 at the time of his/her retirement.
- f. Non Governmental liabilities:- If consent from Pensioner is available to recover such dues from Death-cum-Retirement Gratuity then authority concerned mentioned in Part I of this order shall send a copy of the Liability Certificate along with the consent form to both Treasury and DDO in respect of the retired employee. The matter shall be intimated to concerned financial institutions also. Treasury Authorities shall then directly credit the liabilities from Gratuity to the Special TSB account of the DDO or TSB account of KSFE Branch/ Co-operative Society/ any Financial Institution concerned within one week of receiving the Liability Certificate. Accordingly Government Order read 4th above modified to that extent.

Part III - Regarding Undertaking

(a) Cases where Audit is not finalized

In instances where Audit cannot be conducted due to Administrative Delay, Non-liability certificate may be issued after obtaining undertaking on a stamp paper of denomination of ₹200/- as per format attached in Annexure-2(a). In case of Priests, Saints & employees without any property, Non-liability certificate may be issued after obtaining undertaking on a stamp paper of denomination ₹200/- as per the format in Annexure-2(b). In such cases non liability certificate as per Annexure-1.2(c) shall be issued.

(b) Cases where Audit has been undertaken

If any liability has been quantified on an employee after Audit as per Article 303-B of Kerala Financial Code, the employee shall be issued liability certificate as per the format in Annexure-1.1 of this order. In such cases there is no need of obtaining undertaking from the employee.

(c) Vigilance Cases

As per Rule 3 of KSR Part-III, in the instance of Vigilance Cases, a judicial proceeding is deemed to be instituted only when Magistrate takes cognizance. When Magistrate takes cognizance Vigilance Case Number [VC No.] becomes a Calendar Case Number [CC No.]. For vigilance cases where the Magistrate has not taken cognizance yet [i.e Calendar Case Number [CC No.] is not issued], pensionary benefits shall be released after obtaining undertaking on a stamp paper of denomination of ₹200/- as per the format attached in Annexure-2(c). In such cases Non-liability certificate as per format attached in Annexure-1.2(c) may be issued.

- 3) This order shall come into force with effect from the date of order.
- 4) The Government Order read 2nd above stands cancelled.

(By order of the Governor)
SHIBU A.
ADDITIONAL SECRETARY

To

- (1) The Principal Accountant General (A&E), Kerala, Thiruvananthapuram
- (2) The Accountant General (Audit-II), Kerala, Thiruvananthapuram
- (3) All Heads of Departments and Offices.
- (4) All Departments (All Sections) of the Secretariat including Law Department.
- (5) The Secretary, Kerala Public Service Commission (with C.L)
- (6) All Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Secretaries to Government.

- (7) The Secretary to Governor.
- (8) The Private Secretaries to Speaker, Deputy Speaker, the Leader of Opposition and Government Chief Whip.
- (9) The Private Secretaries to Chief Minister and other Ministers.
- (10) The Additional/ Deputy Secretary to Chief Secretary.
- (11) The Secretary, Ombudsman for Local Self Government Institutions, Thiruvananthapuram.
- (12) The Secretary, Kerala State Human Rights Commission, Thiruvananthapuram.
- (13) The Registrar, High Court of Kerala, Ernakulam (with CL).
- (14) The Registrar, Kerala Lok Ayukta, Thiruvananthapuram.
- (15) The Director of Treasuries, Thiruvananthapuram.
- (16) The Registrar, All Universities in Kerala.
- (17) The Director, Information and Public Relations, Thiruvananthapuram.
- (18) The Advocate General, Kerala, Ernakulam.
- (19) The Chief Information Commissioner, Kerala, Thiruvananthapuram.
- (20) All District Treasury Officers/ Sub Treasury Officers.
- (21) Managing Directors/ General Managers of Government Companies/ Boards/ Corporations/ Self Governing Institutions.
- (22) The Nodal Officer, www.finance.kerala.gov.in for publishing on the website.
- (23) Stock File [PEN-B1/29/2021/FIN E-1904261] / Office Copy.

Forwarded/By Order



Accounts Officer

Annexure-1**1. Liability Certificate**

Certified that the following Government liabilities / Non- Governmental liabilities are outstanding against Shri/Smt. _____ [Name, PEN and Designation of the officer at the time of retirement / death] who has retired from service / died while in service on _____ and the liabilities may be recovered from his/her death-cum-retirement gratuity and credited to the Heads of account/ TSB account number of DDO or TSB account of KSFE Branch/ Co-operative Society/ Financial Institution concerned indicated against each liability.

(a) Government liabilities (Yes/No) (Strike off whichever is not applicable)

Sl. No.	Nature of Liability	Amount of Liability (₹)	Head of Account to which it is to be credited
1	2	3	4

(b) Non-government liabilities (Yes/No) (Strike off whichever is not applicable)

Sl. No.	Name of Financial Institution	Nature of liability [Debtor/ Guarantee]	Liability Amount [₹]	TSB A/c Number to which it is to be credited
1	2	3	4	5

(c) Also Certified further that there are no other liabilities outstanding against him/her.

**Copy of the Consent form submitted by pensioner at the time of retirement is attached herewith.*

2. Non-Liability Certificate

(a) In the case of no Government Liability

Certified that no liabilities to Government to any institution outstanding against Shri/Smt. _____ [Name, PEN and Designation of the officer at the time of retirement / death].

(b) In the case of no non-Government Liability (if consent as per Annexure 3 is not furnished by the pensioner)

Certified that no non-Government liabilities to any institution outstanding against Shri/Smt. _____ [Name, PEN and Designation of the officer at the time of retirement / death]. This Certificate is issued in the absence of written consent as per Annexure 3.

(c) In the case of no Government Liability [if undertaking is received from the pensioner as per Annexure 2(a)/2(b)/2(c)] (if Applicable)

Certified that no liabilities to Government are outstanding against Shri/Smt. _____ [Name, PEN and Designation of the officer at the time of retirement / death]. This certificate of non-liability is issued based on the undertaking from the individual made as per Annexure 2(a) / 2(b) / 2(c).

Place

Signature, Name, Official Address and

Date

PEN Number of Pension Sanctioning Authority

**** In Annexure 1, format of 1.1(a), 1.1(b), 1.1(c), 1.2(a), 1.2(b), 1.2(c), strike off whichever is not applicable.***

Annexure-2(a)**Undertaking**

I hereby agree that if any financial liability is quantified against me on the Audit of my service period, I will repay the liability. In the instance I am not able to repay the liability, I agree that such liability may be recovered either from my Pension Arrears or my Dearness Relief Arrears or my Dearness Relief. If the liability still unresolved I agree that it may be recovered from my own/inherited movable/ immovable property under revenue recovery procedure and even after such steps liabilities are pending, such liabilities may be recovered through monthly installments from pension, subject to condition that each monthly recovery will not exceed 25% of my pension.

Place

Sign

Date

Name

PEN / PPO Number

Aadhar Number

Address

Witnesses [Sign, Name, PEN Number, Official Address]

1. _____

2. _____

Annexure-2(b)**Undertaking**

I hereby agree that if any financial liability is quantified during the Audit of my service period, I will repay the liability. In the instance I am not able to repay the liability, I agree that such liability may be recovered either from my Pension Arrears or my Dearness Relief Arrears or my Dearness Relief. Even after such steps liabilities are pending, such liabilities may be recovered through monthly installments from pension, subject to condition that each monthly recovery will not exceed 25% of my pension.

Place

Sign

Date

Name

PEN / PPO Number

Aadhar Number

Address

Witnesses [Sign, Name, PEN Number, Official Address]

1. _____

2. _____

Annexure-2(c)**Undertaking**

If Vigilance Court in its final judgment finds any financial liability in connection with the vigilance cases during my service period, I hereby agree that I shall repay such liabilities. In the instance I am not able to repay the liability, I agree that such liability may be recovered either from my Pension Arrears or my Dearness Relief Arrears or my Dearness Relief. If the liability still unresolved it may be recovered from my own/inherited movable/immovable property under revenue recovery procedure and even after such steps liabilities are pending, such liabilities may be recovered through monthly installments from pension, subject to condition that each monthly recovery will not exceed 25% of my pension.

Place

Sign

Date

Name

PEN / PPO Number

Aadhar Number

Address

Witnesses [Sign, Name, PEN Number, Official Address]

1. _____

2. _____

Annexure-3
Undertaking

I hereby agree to recover the following Non-Governmental liabilities, which are outstanding against me, from my admissible death-cum-retirement gratuity.

Sl. No.	Name of Financial Institution	Nature of liability [Debtor/ Guarantee]	TSB Account of Financial institution	Number and Date of issuing loan	Loan amount
1	2	3	4	5	6

Place

Name & Signature :

Date

PEN :

Office Address :

Witnesses [Sign, Name, PEN Number, Official Address]

1. _____

2. _____