



**Institute of Human Resources Development
Prajo'e Towers, Vazhuthacaud
Thiruvananthapuram-14**

No.EA3/5684/2015/IHRD (2)

Dated, 22.11.2016

CIRCULAR

Sub:- *IHRD –Training and Programmes conducted outside India – Request from IHRD faculties for foreign journey – Specific instructions – Reg :-*

- Ref:-*** 1. *Government Circular No. 18326/AR14(1)/2011/PeLARD dated 29.10.2012*
2. *Government letter No. HEDN- J1/15/2015-HEDN dated 08.11.2016.*

It has come to the notice of the undersigned that, certain faculties working under IHRD especially in Engineering Colleges request permission to undergo foreign journey to attend training/workshop/conferences/paper presentation etc... in the last moment without forwarding the supporting documents alongwith their requests. It creates administrative difficulty to the undersigned to examine their request as per the rules in force and to recommend to Government for sanction. Sometimes faculties participate in the programmes abroad without waiting for Government sanction. Government have viewed this very seriously.

In the above circumstances, all heads of institutions are directed to instruct the faculties working under their control that, proposal if any for foreign journey to attend conference, seminar, workshop, paper presentation etc.... shall be forwarded to the Director, IHRD sufficiently early with all supporting documents (copies of Government circular dated 29.10.2012 attached) alongwith application for NOC for various purpose as prescribed by IHRD, so as to forward the same to Government duly recommended. The faculties will

not be allowed to perform journey outside India for official purposes without prior permission from Government.

Receipt of the circular may be acknowledged by return.

Sd/-
Dr.P.Suresh Kumar
DIRECTOR

Encl:- As stated above

To:-

1. *All Heads of Associate Institutions*
2. *Deputy Director*
3. *Administrative Officer*
4. *Finance Officer*
5. *Assistant Executive Engineer*
6. *All Sections in the Establishment Wing*
7. *IT Division*
8. *SF*
9. *OC*

Approved for issue

[Signature]
24/11
Administrative Officer
[Signature]



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.

APPENDIX I

PARTICIPATION IN FOREIGN PROGRAMMES BY THE EMPLOYEES OF
GOVERNMENT/GOVERNMENT UNDERTAKINGS, AIDED
INSTITUTIONS, STATUTORY INSTITUTIONS,
AUTONOMOUS INSTITUTIONS, Etc.

Check List

1. Name :
2. Designation (with Department) :
3. Qualifications :
 - (a) General :
 - (b) Technical :
4. Remaining period of service :
5. Purpose of present visit :
6. Name and duration of the Programme :
7. Address of the organizing agency :
8. Contact address abroad :
9. Financial commitment if any to the State :
Government/Institution :
10. Source of Expenditure for the :
Programme :
11. Details of previous Foreign Programmes :
attended during his career :
(specify whether Government sponsored :
or by direct invitation) :
12. Details of pending disciplinary action :
if any :
13. Actual expenses during the last 3 years :
incurred on each tour by Govt./by any :
Public Sector Undertaking or any :
co-operative or autonomous body :
funded or assisted by State Govt. :
14. What is proposed to be achieved by :
the present tour (clear and detailed :
information should be made available) :

Signature

Name and Designation

Counter Signature of HOD.

APPENDIX II

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

KNOW ALL MEN BY THESE PRESENTS that we
Sri/Kumari/Smt.

(Here enter the name and address) (hereinafter called "the bounden") and

(1) Sri/Kumari/Smt. and

(2) Sri/Kumari/Smt.

(Here enter the 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 ₹ 2,00,000 (Two Lakhs)/₹ 4,00,000 (Four 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
(here enter 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 No. dated 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/Four 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 Winesses:

(1)

(2)