

GOVERNMENT OF KERLA
Abstract

ADVANCES – ADVANCES FOR THE PURCHASE OF A MOTOR CAR – RECOVERY FROM STATE GOVERNMENT SERVANTS SENT ON DEPUTATION OUT OF INDIA OR ARE TRANSFERRED TO POSTS OUTSIDE INDIA- ORDER ISSUED.

FINANCE DEPARTMENT

G O (P)222/66Fin.

Dated, TRIVANDRUM, 26TH MAY 1966

Read; 1. O M Nos. F. 16(1)-E II (A)/65 DATED 29-4-65 AND 10-9-65 of the Government of India, Ministry of Finance
2. Letter No gaic-15-32-dated 13-10-1965 and No.T M. III/12-44/549 dated from the Accountant General.

ORDER

The rules governing the grant of advance for the purchase of motor cars to State Government servants are contained in Article 249 to 252 of Kerala Financial Code Volume I. The following are some of the conditions governing the advance for the purchase of a Motor Car.

- (a) the borrower will repay the said amount with interest calculated according to the provision in K F C Vol . I by monthly deductions from his salary.
- (b) the borrower will expend the full amount of the loan in the purchase of a motor car or if the actual price paid is less than the loan, he will refund the difference to the Government.
- (c) the borrower will execute a document hypothecating the motor car to Government as security for the amount lent to the borrower as aforesaid and interest, in the form provided in the said code.

2.The above rules do not, however, provide for the recovery of the advance when a State Government servant who has not completely repaid the advance is sent on deputation out of India. To cover such cases ,Government are pleased to order that a State Government servant who is sent on deputation exceeding 12 months out of India before an advance drawn by him for the purchase of a Motor Car is completely repaid by him, may at his option, be allowed to Government to repay the remaining instalments in rupees in India. The Government servant should arrange to remit the amount due by bank draft by the 15th of every month in favour of the Accountant General Kerala. A second mortgage deed shall be obtained from the Government servant to this effect and the office to which he is attached abroad informed accordingly. If the bank draft is not received by the Accountant General before the end of the month, he would immediately report the matter to Government in the Finance Department and also to the office abroad where the Government servant is working, for further necessary action . Failure on the part of the government servant to remit the bank draft by the due date will render the Government servant liable to pay penal interest in accordance with the provision in the relevant rules I

Kerala Financial Code Vol I and on return of the officer, any amount left unrecovered will be deducted as before from his monthly pay bills by the Accountant General.

3. The form of the second mortgage bond to be executed by a Government servant for repayment of the advance by bank raft is appended to this G O

By Order of the Governor,
R , PARAMESWARAN NAIR.
Assistant Secretary.

To

The Accountant General, Kerala.
All Heads of Departments and offices.
The secretary, Kerala public Service Commission (with CL)
The Registrar, Kerala High Court (with C. L)
The Registrar, University of Kerala (with C L)
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Assistant Secretaries to Government.
All departments and sections of the secretariat.
The Secretary to the Governor.
The Private Secretaries to the advisers.
The Stenographer to the Chief Secretary.
The Secretary, Vigilance Commission.
The Finance (Rules) Section for issuing suitable amendment to the Kerala Financial Code, Vol I & II.

THIS AGREEMENT is executed o this the..... day ofOne thousand nine hundred and..... byShri..... (H E name and address) now employed is..... (herein after referred to as “ the borrower “ which expression shall include his heirs , administrators, executors , legal representatives and assignees) of the one part and the Governor of Kerala (here in after called “ the Government) of the other part;

WHEREs by a mortgage deed executed on the..... day o the..... One thousand nine hundred and..... in favour of the Government (here after referred to as “ the Principal Deed) the Borrower hypothecated to the Government the motor car described in the Schedule there to as security for the amount of Rs..... to the Borrower with interest at the rate and on conditions mentioned in the Principal Deed;

WHEREAS out of the said sum of Rs..... Advanced to the Borrower by the Government a sum of Rs.....towards Principal and interest there on as per the terms of the Principal Deed still remain due and payable to the Government;

WHEREAS the Government have in order No..... dated..... Sanctioned the deputation of the Borrower out of India for a period exceeding twelve months transfer of the Borrower to a post outside India;

WHEREAS the Government have in in order No datedallowed the Borrower to repay the Principal and interest remaining unpaid as per the terms of the Principal Deed in rupees in India;

AND WHEREAS These Presets are supplemented to the Principal Deed; NOW THESE PRESETS WITNESS as follows;

1. In pursuance of the said order allowing repayment in rupees in India the Borrower doth here by agree to pay to the Government such dues by remittance through bank draft drawn by the 15 th of every month in favor of the Accountant General, Kerala.
2. It is hereby agreed and declared that if the Borrower fails to remit the Bank draft by the due date, penal Interest calculated under the rules laid down in the Kerala Financial Code for advances for the purchase of Motor Car shall forth with become payable and that any amount found unrecovered on the return of the Government servant to the State, would be deducted by the Accountant General, Kerala from the monthly pay bills of the Borrower.
3. Subject to the above change in the mode of repayment of the loan amount, Principal Deed shall be and remain in full force and effect.

IN WITNESS the said (Borrower' s name and..... for and on behalf of the Governor of Kerala have herein to set their respective hands the day and year first above written.

Signed by the said..... (Here enter name and designation of the borrower).

(Signature and designation of the Borrower),

In the presence of;

1.(Here enter name and Address of the Witness). (Signature)

2. Do.

Sign by (Here enter name and designation for and on behalf of the Governor of Kerala in the presence of ;

(Signature)

1. (Here enter name and designation of Witness) (Signature)

2. Do Do