

NO.G.27024/1/2025-FIN(PRU)
GOVERNMENT OF MIZORAM
FINANCE DEPARTMENT(PRU)

Dated Aizawl, the 26th May, 2026

OFFICE MEMORANDUM

Subject: Waiver of recovery of excess/wrongful payments in pension-related cases and strict enforcement of financial discipline to prevent recurrence – regarding.

The undersigned is directed to state that the issue of recovery of excess/wrongful payments made to Government servants has been critically examined by the Finance Department in light of:

- a) Office Memorandum issued by Finance Department (PRU) vide No. G.12019/1/2016-FIN(PRU) dated 09.01.2023,
- b) The law laid down by the Hon'ble Supreme Court in State of Punjab & Others vs. Rafiq Masih (White Washer) etc, and
- c) Proposals received from various Administrative Departments.

1. Upon such examination, it is observed that instances of excess and irregular payments have arisen primarily due to grossly deficient scrutiny, including:
 - (a) Erroneous fixation of pay involving grant of inadmissible increments, and
 - (b) Unauthorized sanction of Retirement Gratuity to employees governed under the Mizoram New Defined Contribution Pension Scheme, 2010, despite the fact that such employees are not entitled to Retirement Gratuity unless specifically authorized by the Finance Department through Notification No. G.17011/2/2008-F.APF dated 17th June, 2010 and Office Memorandum No. G.17011/2/2011-F.APF dated 9th September, 2013.
2. The Finance Department reiterates that recovery of excess payments is legally untenable in situations covered under Office Memorandum issued by Finance Department (PRU) vide No. G.12019/1/2016-FIN(PRU) dated 09.01.2023 and judicial pronouncement, particularly where:
 - (a) The excess payment pertains to a period exceeding five (5) years prior to issuance of recovery orders;
 - (b) The employee has already retired or is on the verge of retirement;
 - (c) Recovery would be inequitable, harsh, or arbitrary in law.
3. In view of the above legal position, and without creating any precedent for future cases, it has been decided that:
 - (a) Recovery of excess payment arising from wrongful pay fixation effected more than five (5) years prior to the date of issuance of the recovery order shall stand waived, subject to concurrence of the Finance Department having been obtained;

- (b) Recovery of wrongful payment of Retirement Gratuity made to an NPS employee shall likewise stand waived, subject to prior concurrence of the Finance Department having been obtained.
4. Notwithstanding the above waiver, the Finance Department records its serious concern and disapproval over such lapses. The waiver granted herein shall not be construed as condonation of negligence or procedural failure on the part of the concerned authorities.
5. **Accordingly, to prevent recurrence of such irregularities, the following directions are hereby issued and shall be complied with strictly and without exception:**
- (a) **All Heads of Offices shall undertake immediate and comprehensive verification of pay fixation records of employees under their control.**
- (b) **Service Books of all employees who are due to retire within the next four (4) years shall mandatorily be submitted to the Director, Local Fund Audit (DLFA) for audit and verification of past pay fixation.**
- (c) **It shall be ensured, without fail, that Retirement Gratuity is not sanctioned to NPS employees. Any deviation shall attract responsibility.**
- (d) **Departments shall establish robust internal control mechanisms, including pre-audit checks, to prevent wrongful drawal of pay and allowances.**
6. **Any future instance of excess or wrongful payment shall be viewed seriously, and the concerned Drawing & Disbursing Officers/Heads of Offices shall be held personally accountable.**
7. All Administrative Departments shall circulate this O.M. to all subordinate offices and ensure strict compliance. Non-compliance shall be viewed adversely.

Sd/- VANLALDINA FANAI

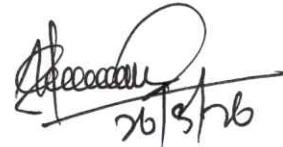
Commissioner & Secretary to the Govt. of Mizoram
Finance Department

Memo No.G.27024/1/2025-FIN(PRU) Dated Aizawl the 26th May, 2026

Copy to:

1. Secretary to Governor, Mizoram.
2. P.S. to Chief Minister, Mizoram.
3. P.S. to Speaker/all Ministers/Leader of Opposition/Dy. Speaker/Minister of State, Mizoram.
4. PS to Adviser to Chief Minister (Finance & Planning)
5. P.S. to Vice Chairman, State Planning Board, Mizoram.
6. P.P.S to Chief Secretary, Government of Mizoram.
7. Principal Accountant General, Aizawl, Mizoram.

8. All Administrative Departments, Government of Mizoram.
9. Secretary, Mizoram Legislative Assembly.
10. Secretary, MPSC/MSIC/MSEC, Mizoram.
11. All Heads of Departments, Govt. of Mizoram.
12. Pr. Resident Commissioner, Jt. Resident Commissioner, Dy. Resident Commissioner, New Delhi/Kolkata/Mumbai/Guwahati/Shillong/Silchar/Bangalore.
13. Chief controller of Accounts, Accounts & Treasuries, Mizoram.
14. Controller of Printing & Stationeries, Mizoram with 6 (six) spare copies for publication in Mizoram Gazette Extra Ordinary.
15. All Jt. Director of Finance & Accounts/Dy. Director of Finance & Accounts/FAOs in Mizoram.
16. All Treasury Officers in Mizoram.
17. All Officers under Finance Department (PRU).
18. The Web Manager, Finance Department for uploading in the Department's website.



(H. LALNUNTLUANGI)

Under Secretary to the Govt. of Mizoram
Finance Department (PRU)