

**GOVERNMENT OF RAJASTHAN  
FINANCE DEPARTMENT  
(RULES DIVISION)**

**No. F. 9(14) FD/Rules/2005 Pt.**

**Jaipur, dated:**

**04 SEP 2025**

All Addl. Chief Secretaries/  
Principal Secretaries/  
Secretaries to Government/  
All Heads of Departments.

**CIRCULAR**

**Sub: Recovery of wrongful/excess payments made to Government Servants/Pensioners.**

Kind attention is invited to the provision of item (ii) of para 3 of Finance Department Circular of even number dated 17.08.2016, regarding recovery from retired employees or employees who are due to retire within one year of the order of recovery. As per the judgment of Hon'ble Supreme Court in the case of State of Punjab & Ors vs Rafiq Masih (White Washer) etc. in CA No. 11527 of 2014 (Arising out of SLP (C) No. 11684 of 2012), it was held that recovery of payments made by the employer in excess of entitlement would be impermissible in law.

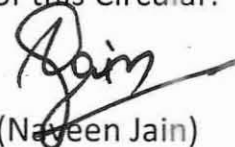
However, this issue has again been considered by the Hon'ble Supreme Court in its reportable judgment dated 29.07.2016 in Civil Appeal No. 3500/2006 - Punjab & Haryana High Court & Others Vs. Jagdev Singh and it was held that the officer to whom the payment was made in the first instance was clearly placed on notice that any payment found to have been made in excess would be required to be refunded. The officer who has furnished an undertaking while opting for the revised pay scale, shall be bound by the undertaking.

It is pertinent to mention that the revision of pay scale of the State Government employees has been made each time after obtaining undertaking from the Government servant that in the event of pay having been fixed in a manner contrary to the provisions contained in the Rules, as detected subsequently, any excess payment so made shall be refunded to the Government either by adjustment against future payments due or otherwise.

(RSR-23/2025)

Accordingly, in view of the Hon'ble Supreme Court judgment dated 29.07.2016, in modification of Finance Department Circular dated 17.08.2016, it is hereby ordered that in all cases where fixation of pay of a Government servant has been made in the revised pay scale erroneously and which has resulted overpayment, the recovery of the excess payment be made from them even after their retirement after giving them formal show cause notice. The recovery of wrongful / excess payments be made in equated monthly instalments spread over a period of two years.

The past cases already decided in accordance with the provisions of Finance Department Circular no. F. 9(14)FD/Rules/2005/Pt dated 17.08.2016 shall need not be re-opened. Pending cases of wrongful and excess payment shall be decided in accordance with the provisions of this Circular.



(Naveen Jain)

Secretary to the Government  
Finance (Budget)

(RSR-23/2025)

Copy forwarded to the: •

1. Secretary to Hon'ble Governor.
2. ACS to Hon'ble Chief Minister.
3. Special Assistant to Hon'ble Dy. Chief Minister (Finance Minister)
4. All Special Assistants / Private Secretaries to Hon'ble Ministers / State Ministers.
5. All Special Secretaries Government.
6. Joint Secretary to Chief Secretary.
7. Accountant General Rajasthan, Jaipur
8. All Sections of the Secretariat.
9. Director, Treasuries & Accounts, Rajasthan, Jaipur
10. Director, Information and Public Relations, Rajasthan, Jaipur
11. Chief Executive Officer, Rajasthan State Health Assurance Agency
12. Deputy Director (Statistics) Chief Ministers' Office
13. All Treasury Officers. .
14. Administrative Reforms (Gr. 7) Department
15. Vidhi Rachana Sangthan, for Hindi translation.
16. System Analyst (Joint Director), Finance Department (Computer Cell).
17. Guard File.

Copy also to the -

1. Principal Secretary, Rajasthan Legislative Assembly, Jaipur
2. Registrar General, Rajasthan High Court, Jodhpur / Jaipur.
3. Secretary, Rajasthan Public Service Commission, Ajmer.
4. Secretary, Lokayukta Sachivalaya, Jaipur.



(Dhoopendra Kumar Jain)

Deputy Secretary, FD (Rules)

(RSR 23/2025)