

No.60/37/63-Ests(A)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS.

New Delhi-1, the 14th July, 1967.
23rd Ashadha, 1989.

OFFICE MEMORANDUM

Subject: Forwarding of applications of Government servants working in a Department/Office of the Central Government to posts in other Central Government Departments/Offices- Question regarding the retention of lien in the parent department.

The undersigned is directed to refer to the Office Memoranda noted in the margin which lay down the circumstances under which applications of

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| 1. M.H.A.O.M.No.170/51-Ests. dated 21.10.1952. | Government servants working in a Central Government Department/ |
| 2. M.H.A.O.M.No.130/54-Ests(A)-I dated 28.2.1955. | Office for posts in other Central Government Departments/Offices/ |
| 3. M.H.A. O.M.No.28/3/59-Ests(A) dated 15.6.1959 | Public Sector and autonomous semi-Government Organisations/private |
| 4. M.H.A.O.M.No.70/10/60-Ests(A) dated 9.5.1960 | firms may be forwarded. The procedure to be followed (in the |
| 5. M.H.A.O.M.No.5/3/65-Ests(C) dated 21/12/1965 | matter of retention of lien, restrictions on pay and leave |
| | salary and pension contributions) in respect of Government servants who |

apply for posts in the public sector undertakings/ autonomous semi-Government organisations has been laid down in this Ministry's Office Memorandum No.70/62/62 Ests(A), dated the 22nd January, 1966. The question as to what procedure should be followed in respect of Government servants working in a particular Department/office who apply in response to advertisements or circulars inviting applications for posts in other Central Government Departments/ Offices has been under consideration for some time past. It has been decided that the following procedure should be followed in respect of such Government servants:-

- (1) The applications may be forwarded in accordance with the instructions contained in the office Memoranda noted in the margin irrespective of whether the post applied for in the other Department/Office is permanent or temporary.
- (2) In the case of permanent Government servants, their lien may be retained in the parent department/Office for a period of two years. They should either revert to the parent department/office within that period or

or resign from the parent department, office at the end of that period. An undertaking to abide by these conditions may be taken from them at the time of forwarding the applications to other Departments/ Offices.

(3) In the case of quasi-permanent Government servants who wish to revert to the parent department/Office within a period of two years, they may be taken back in the parent Department/Office, provided the posts held by them prior to their joining the new department/office continue to exist. In any case, at the end of two years from the date of release from the parent department/office, they will have to resign from the parent department/office, if reversion does not take place. An undertaking to abide by these conditions may be taken from them at the time of forwarding the applications.

(4) As for temporary employees, they should as a matter of rule, be asked to resign from the parent department/ office at the time of release from the parent department/office. An undertaking to the effect that they will resign from the parent department/office in the event of their selection and appointment to the post applied for, may be taken from them at the time of forwarding the applications.

(5) In exceptional cases where it would take some time for the other Department/ office to confirm such Government servants due to the delay in converting temporary posts into permanent ones, or due to some other administrative reasons, the permanent Government servants may be permitted to retain their lien in the parent department/office for one more year. While granting such permission, a fresh undertaking similar to the one indicated in sub-para (2) above may be taken from the permanent Government servants by the parent department/ office. A similar treatment may be accorded to the quasi-permanent employees on their giving an undertaking similar to the one indicated in sub-para (3) above.

(6) During the period of two years referred to in clause (2) and (3) above, the pay of the officer in the ex-cadre post will be fixed in the pay scale of that post and will be subject to the limits prescribed in Ministry of Finance Office Memorandum No.F.10(24)-EIII/60, dated the 9th March, 1964 in cases where the minimum of the scale of pay of the new post is substantially in excess of his grade pay in the parent department and such other orders as may be issued by them from time to time (and subject also, in the case of members of CBS/CSSS/CSCS, to such orders as have been issued by the MHA). No deputation allowance will be admissible in any case.

2. These instructions are applicable to the employees in all the Departments/Offices of the Government of India (excluding the Ministry of Railways and Civilians in Defence Services). The members of the Central Secretariat Service/Central Secretariat Stenographers service/ Central Secretariat Clerical Service will also be governed by these instructions in supersession of the practice hitherto followed in respect of them.

3. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these instructions are issued in consultation with the Comptroller and Auditor General of India.

Sd/-P.S. VENKATESWARAN
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

To

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All the Ministries/Departments of the Govt. of India (including Department of Atomic Energy, Bombay; Deptt. of Statistics, Office of the C& AG, UPSC) etc.etc.
All Union Territories/Zonal Councils.
Attached and Subordinate Offices of the M.H.A.
Commissioner for Linguistic Minorities, Allahabad.
All Officers/Sections of the Min. of Home Affairs.
Ests(C) with 50 spare copies.
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