

F.No. 24012/10/2010-AIS(II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi - 110001
Dated 16th August, 2011

To

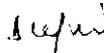
Chief Secretaries of all the
State Governments/UTs

Subject: Guidelines for processing resignation tendered by AIS officers.

Sir,

I am directed to say that by notification dated 28/7/2011 an amendment has been made by inserting sub rule 1A after sub-rule 1 in rule 5 of All India Services (Death-Cum-Retirement Benefits) Rules, 1958. Rule 5(1) and Rule 5(1A) of AIS (DCRB) Rules, 1958 govern the issue of resignation of AIS officers. In this connection, a copy of guidelines to process the cases of resignation tendered by AIS officers along with a Check-list of points for consideration of cases of resignation is enclosed for information and necessary action.

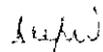
Yours faithfully,


(Deepti Umashankar)
Director (Services)
Tele No. 23093591

Encl: As above.

Copy to :-

- (1) All Ministries/Departments of Government of India.
- (2) All Officers/Sections of Department of Personnel & Training.
- (3) NIC, DOPT for putting on website vide path (Home page>Circulars/Reports>Services Division>others).


(Deepti Umashankar)
Director (Services)

Guidelines for processing resignation tendered by All India Service officers.

1. **Format of resignation.** - Resignation is an intimation in writing by the member of service, of his/her intention or a proposal to resign from service either immediately or from a future specified date. A resignation has to be clear and unconditional.

2. **Authorities to whom the resignation submitted.**- While serving in his/her cadre, a member of service should submit his/her resignation to the concerned Chief Secretary. In case, a member of service is serving on central deputation, he/she is required to submit his/her resignation to the Secretary of the concerned Ministries/Departments. With their comments/recommendations, the concerned Ministry/Department should send the application to the State cadre.

3. **Competent Authority.**- Central Government. [MOS (PP), DOPT in respect of IAS, Minister- in Charge, MHA in respect of IPS and Minister-in Charge, MOEF in respect of IFS],

4. **Procedure to be followed by the State Cadre.**- The following aspects are to be taken into consideration in dealing with resignation submitted by a member of service;

- (i) Dues, if any, outstanding against the member of service
- (ii) Vigilance status of the officer

While forwarding resignation application to the Central Government for acceptance, the concerned State Cadre should invariably send information on the above two issues along with their recommendation. In case, the member of service is clear from vigilance angle, before sending the resignation application of member of service to the Central Government it should be ensured that nothing is outstanding against the officer.

Resignation tendered by the member of service will be considered by the competent authority i.e. the Central

Government only after obtaining the recommendation of the concerned cadre.

5. Circumstances under which resignation should be accepted. - It is not in the interest of Government to retain an unwilling member of service. The general rule, therefore, is that a resignation of a member from service should be accepted, except in the circumstances indicated below:-

Where a member of service, who is under suspension, submits a resignation, the competent authority should examine, with reference to the merit of the disciplinary case pending against the member of service, whether it would be in the public interest to accept the resignation. Normally, as members of service are placed under suspension only in cases of grave delinquency, it would not be correct to accept a resignation of a member of service under suspension. Exceptions to this rule would be where the alleged offences do not involve moral turpitude or where the quantum of evidence against the accused member of service is not strong enough to justify the assumption that if the departmental proceedings were continued, he/she would be removed or dismissed from service, or where the departmental proceedings are likely to be so protracted that it would be cheaper to the public exchequer to accept the resignation.

Concurrence of the Central Vigilance Commission should be obtained before submission of the case to the Competent Authority, if the Central Vigilance Commission had advised initiation of departmental action against the member of service concerned or such action has been initiated on the advice of the Central Vigilance Commission.

6. Withdrawal of resignation before acceptance.- If a member of service, who had submitted a resignation, sends an intimation in writing to withdraw his/her earlier letter of resignation before its acceptance by the competent authority, the resignation will be deemed to have been automatically withdrawn and there is no question of accepting the resignation.

7. Check-list of points for consideration of cases of resignation.—

- (i) Name and cadre with batch:
- (ii) Present posting:
- (iii) Reasons for tendering resignation:
- (iv) The date on which the Government servant wants to resign from service:
- (v) Comments of Cadre/Ministries/Departments:
- (vi) Vigilance status
 - (a) Whether any inquiry or investigation or disciplinary case is pending or contemplated against the officer:
 - (b) Whether the officer is under suspension:
- (vii) Advance/loans/other dues, if any, outstanding against the officer:
- (viii) Whether the officer has executed any Bond for serving the Government for a specified number of years on account of his being given specialized training, fellowship/scholarship for studies or deputed for training whether in India or abroad, and if so, whether the Bond period is over:
- (ix) Authority competent to accept resignation:
