

No. 11763-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT

The 2nd July 1986

To

All Departments of Government/

All Heads of Departments/

All District Offices.

Subject – Principles to be followed in acceptance of resignations tendered by Government servants.

The undersigned is directed to say that it is considered necessary to follow a uniform process for dealing with resignation submitted by Government servants with the objective of their expeditious disposal. Finance Department had in a letter, dated the 15th September 1976, addressed to all Departments of Government and all Heads of Departments emphasized the need for taking speedy action in the disposal of resignation tendered by a Government servant and communicate the acceptance order expeditiously. A copy of the Finance Departments aforesaid letter is enclosed. (Annexure I). Earlier, in May, 1967, the erstwhile Political & Services Department had outlined the procedure for regulating discharge, resignation of Government servant except on superannuation. It was laid down therein that the authority competent to appoint should consult the State Vigilance branch before acceptance of resignations or passing of discharge order. A copy of the aforesaid Political & Services Department's instruction is enclosed (Annexure II).

A Government servant who has submitted resignation, cannot ordinarily be expected to perform his normal official duties until a decision on his resignation is taken. He would hardly be doing anything other than pursuing the resignation. At present there is no time limit within which a decision on letters of resignation is to be taken. It has been observed that the Departments/Offices dealing with such cases of resignation make references to several offices, enquiring about particular aspects, such as, whether there is a vigilance case or whether there are any Government dues outstanding against the officer, without stating the purpose of making the reference. Similarly no time schedule for the various steps involved in decision making has been laid down nor any specific function has been made responsible to deal with these matters. It is, therefore, necessary to reiterate the need for speedy action for disposal of resignation and at the same time for consulting the State's Vigilance Organisation in dealing with cases of resignation.

The concerned Deputy Secretary (if there is no Deputy Secretary, then the Joint Secretary, if there is neither a Deputy Secretary nor a Joint Secretary, then the Under-Secretary) dealing with establishment matters in a Government Department shall handle such cases of resignation and ensure that decision is taken within a time limit of three months. If there are any real difficulties he must at once bring them to the notice of the Secretary of the Department. Similarly, in the Heads of Department and in field offices an officer shall be designated (generally the Establishment Officer or an officer of whatever designation entrusted with establishment matters) by the Head of Department/Head of Office for this purpose.

Immediately upon receipt of the letter of resignation from a Government servant, reference will ordinarily be made to the Director-General of Vigilance to ascertain whether there is any Vigilance case or proceeding pending against the Government servant or whether such a case or proceeding is going to be started against him in the near future. It must clearly be stated that the purpose of obtaining this information is to take a decision on the resignation. The Directorate-General of Vigilance will send the information sought for within 14 days (2 weeks) of the receipt of the reference. If no categorical response (that a case or proceeding is pending or that it is going to be started) is received from the Vigilance Organisation within the above period of 14 days, then the administrative Department or the Head of the Department or Head of Office should be free to

proceed in the matter of accepting the resignation on the premise that the vigilance angle does not come in the way.

Similarly, simultaneous references shall be made to ascertain whether any Government dues are outstanding against the Government servant; while making the reference, reasonable time of 14 days (2 weeks) be stipulated within which a categorical reply should be requested. This will give ample time to the Head of Department and Head of Office to deal with and decide letters of resignation. If no decision is taken and communicated to the concerned government servant who has tendered resignation within three months of receipt of letter of resignation then, upon expiry of this period of three months, the Government servant's resignation will be deemed to have been accepted and he will be deemed to have been relieved. Government hope that such a situation of resignation having been deemed to have been accepted and the Government servant having been deemed to be relieved, does not arise. This has to be ensured by the concerned Government Department, Head of Department and the Head of the field office or subordinate office competent to accept or reject letters of resignation. It may be noted that the requirement of law is that acceptance or rejection of resignation is to be decided by the appointing authority. A copy of letter, dated the 15th July 1974 issued by the erstwhile Political & Services Department on this aspect is enclosed (Annexure III).

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Special Secretary to Government