GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.E(NG)II-71AP/7 New Delhi, dated 25-7-1972.

(39)

The General Managers,
All Indian Railways including
C.L.W., D.L.W. & I.C.F.

The Director General,
R.D.S.O., Lucknow.

Subject:- Forwarding of applications of railway servants for posts in private firms - Question whether they should be asked to resign or give notice of retirement from service before applying for a post in private firms.

Reference para 1(5) of Railway Board's letter No. E(NG)57RC1/56 dated 21.1.1961 in terms of which a railway servant desirous of applying for a post in a private concern is required to first offer to resign or retire from railway service.

2. A question has been raised as to whether such an employee could be permitted to apply for a post in the private sector if he gives an undertaking that in the event of his being selected for the post applied for he would resign from Railway service or would retire therefrom. It is hereby clarified that a railway servant should make up his mind before he applies for a post in the private sector whether he would resign from railway service or would retire therefrom (if he is eligible to do so.). He should accordingly submit his resignation or give notice of retirement, as the case may be, before applying for private employment. In the case of those who resign from service, it might take some time for the competent authority to issue formal orders accepting the resignation. Similarly in the case of those who give notice of retirement from service, retirement would be effective only on expiry of the notice period. Therefore, while tendering resignation from service or giving the requisite notice of retirement, the employee may ask for permission to apply for employment in the private sector pending the acceptance of resignation or the expiry of the notice of retirement, as the case may be. While considering the request for such permission, the competent authority should keep the following points in view:-

1. In the case of an employee who tenders his resignation, the competent authority should not grant permission to him to apply for private employment, or accept the resignation unless it is satisfied that his retention in service is not necessary in the public interest. In this connection attention is also invited to the instructions contained in Board's letter No. E(NG)II-70RG/1 dated 24.6.72 and the provisions of Rule 150-RI.

(2) If it is decided to accept the resignation pending the issue of a formal order accepting the resignation after going through the necessary formalities, the employee concerned may be given permission to apply for private employment. There is no question of the Railways forwarding the application to the private firm. Where it is decided not to accept the resignation, permission to apply for private employment would not be granted to the individual.

(3) In the case of such of those who are eligible to give notice of retirement and who want to retire from service, as already stated, they should send the requisite notice of retirement. If they seek permission to apply for private employment during the notice period, the same may be accorded by the competent authority. If the permission is given, it should be made clear to the individual that the permission for applying for private employment does not imply grant of permission for taking up commercial employment after retirement. The grant of this latter permission would be governed by the provisions of rule 2022(CSR 531-B)-R-II, where applicable.

3. Please acknowledge receipt.

(G. D. Sud)
Asstt. Director, Establishment,
Railway Board.

No. E(NG) II-71/AP/7 New Delhi, Dated: 25-7-72.

Copy to:-

(i) The Chairman, Railway Service Commissions, Allahabad/Bombay/Calcutta & Madras.

(ii) The Principals:- 1. Railway Staff College, Baroda.
2. Indian Railways Institute of Advanced Track Technology, Poona.
3. Indian Railway Institute of Signal Engg. & Telecommunication Secunderabad.

(iii) The Dy. Director, Rail Movements, Calcutta/ Moghalsarai.

(iv) The Secretary, Railway Rates Tribunal, Madras.

(v) The General Secretary, I.R.C.A., New Delhi.

(vi) The C.A.O.(R) Metropolitan Transport Project. (a) Calcutta (b) Bombay (c)Madras (d) Delhi.

(vii) The R.L.O., New Delhi.

(viii) The Secretary, R.L.T., Old Station Building, Ahmedabad.

(ix) The Joint Director, Iron & Steel, Railway Board, Calcutta.

(x) The Joint Director Transportation(Coal), Railway Board, Calcutta.

(G.D.Sud)
Asstt. Director, Establishment,
Railway Board.

No.E(NG)II-71AP/7 New Delhi, dated 25-7-72.

Copy forwarded for information to the Department of Personnel, (Cabinet Secretariat), with reference to their O.M.No.8/7/69-Ests(C) dated 1.11.1970.

(G.D.Sud)
Asstt. Director, Establishment,
Railway Board.

Copy forwarded to ERB-I, II, III, & IV, Vig-I, II III & IV, F(E)I, II & III, Cash-I & II, E(NG)I & III, E(D&A), E(G), E(P&A)I & II, E(O)I, II & III, E(GR)I & II and Security (Defence) Branch of Board's office.

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