F.No. 11019/05/2015-AIS-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
*****

New Delhi dated the 9th September, 2015

The Chief Secretaries of all the States/UTs

Subject:- **Draft Instructions / guidelines under rule 7(2) of AIS(Leave) Rules 1955 to process deemed resignation for being unauthorisedly absent after expiry of Leave / Study Leave/ Foreign Assignment etc.**

Sir/Madam,

The following procedure has been proposed to deal with the cases of unauthorized absence and to initiate proceedings of under the rule 7(2) of AIS(Leave) Rules 1955:-

> "A Member of Service (MoS), if remains unauthorisedly absent after the sanctioned period of leave / study leave / tenure of Foreign Assignment, there shall be a one month waiting period after the end of leave period / tenure of foreign assignment etc. After that the State Government concerned, on whose cadre strength the MoS is borne, shall issue a show cause notice, thereby giving an opportunity to the MoS to explain his case. Thereafter, if the MoS does not return to duty, the State Government concerned shall initiate proceedings of deemed resignation under rule 7(2) of AIS(Leave) Rules 1955 and forward a complete proposal to the Central Government for effecting deemed resignation within next two months. If the State Government fails to comply with these instructions and adhere to the aforesaid timeline, the Central Government shall initiate proceedings of deemed resignation under rule 7(2) of AIS(Leave) Rules 1955 on its own. The term 'Central Government' means the concerned Cadre Controlling Authority, i.e. Department of Personnel & Training for IAS officers, Ministry of Home Affairs for IPS officer and Ministry of Environment, Forest & Climate Change for IFS officers respectively."

2. The State Governments & Cadre Controlling Authorities (MHA / MoEF) are requested to furnish their comments on the proposed draft instructions/guidelines by email at so-ais3@gmail.com or by fax at 011-23092344 **positively by 07.10.2015**, failing which it would be presumed that you have no comments to offer in the matter.

Yours faithfully,

(Diwakar Nath Misra)
Director(Services)
Tele: 23092483

Copy to for information and further necessary action :-

1. Joint Secretary(UTS)
(Shri Rakesh Singh),
MHA, North Block, New Delhi

2. Joint Secretary(Police-I)
(Shri M.Gopala Reddy),
MHA, North Block, New Delhi

3. I.G. of Forests
(Ms. Rekha Pai)
M/o Environment, Forests and Climate Change
Paryavaran Bhawan, Jor Bagh, New Delhi

4. NIC, DOPT, North Block, N. Delhi – with request to upload it on the website of this Department for 30 days.