



मुख्य कार्यालय / Head Office
EMPLOYEES' PROVIDENT FUND ORGANISATION
श्रम एवं रोजगार मंत्रालय , भारत सरकार
MINISTRY OF LABOUR AND EMPLOYMENT, GOVERNMENT OF INDIA
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No. HRM-II/A.10(81)2016/941

Dated:

18 JUN 2019

To

All Additional CPFCs (Zones)/ Director (PDNASS),
All Regional Provident Fund Commissioners
- Incharge Regional Offices/ ZTIs/ RPFC(ASD), Head Office

Sub.: Grant of TTA/Joining Time to officials / officers on appointment in EPFO - reg.

Madam/Sir,

The Head Office has been receiving representations from the Direct Recruit Assistant Provident Fund Commissioners who were employed in other Central Government Department and had applied through proper channel for appointment in Employees' Provident Fund Organisation, for granting them TTA/Joining Time on their appointment in this Organisation.

2. As per provision of SR 114 Travelling allowance is admissible to a Govt. Servant on transfer from one station to another, if he is transferred in public interest and entitled to joining time pay during the period of journey. As per Government of India decision (i) appended below a provision SR 114, it has been further clarified that:

- (i) **T.A to officials getting appointed under central Government through examination/interview** – It has been decided that joining time and joining time pay should be granted as follows to Government servants appointed to posts under the Central Government on the results of a competitive examination which is open to both Government servants and others:-
- (a) Joining time should ordinarily be permitted for all Government servants serving under the Central Government and for Provincial Government servants who hold permanent posts in a substantive capacity and that,
- (b) no joining time pay should be granted except,-
- (i) When the Government servant holds a permanent post under Government (including a provincial Government) in a substantive capacity, or
- (ii) In the case of appointments through the Home Department to the ministerial establishment of the Government of India Secretariat and attached or subordinate offices when a candidate originally nominated to a vacancy likely to become permanent is re-nominated to another such vacancy owing to the cessation of the former.

contd.. 2

(c) Traveling allowance under SR 114, should also be granted in cases where Joining time pay is granted under Clause (b) above. This also applies to a Government servant selected after an interview for appointment to a post under central Government.

3. By implication of Government of India decision (i) under SR 114, a permanent Government Servant who has been permitted Joining Time as well as Joining Time pay, to be allowed Travelling Allowance under SR 114 on the results of the Competitive Examination which is open to both Government Servants and Others and even in case of Government Servant selected after an interview for appointment to the post of Central Government.

4. However, admissibility of Composite Transfer Grant, is governed by the provisions of SR 116(a). As per the entitlement w.e.f. 01.10.1997, it is payable equal to (a) one month's Basic pay, (b) Actual fare for self and family for journey by rail/steamer/air, (c) Road mileage for journey by road between places and connected by rail, (d) Cost of transportation of personal effects from residence to residence, (e) Cost of transportation of conveyance possessed by the employee.


5. EPFO being an autonomous body, FR and SR have been adopted by the Central Board and there is a parity in terms of the Rules. The GID no. (i) below SR 114 applies to the cases of permanent Govt. servant who have been appointed through Competitive examinations in other Government Department. However by analogy a Government Servant who is entitled to transfer allowance under SR 114 would be entitled under SR 116 as a natural corollary and hence the same may be considered to be allowed in such cases.

6. In view of the above, all such representations for grant of TTA/ Joining Time may be examined in the light of SR-114, SR-116 and DOPT OM No. 28020/1/2010-Estt.(C) dated 08.04.2016. It is reiterated that the benefit of TTA/ Joining Time on appointment is admissible only in cases where the officer was earlier employed as Permanent Central /State Government servant and had applied for the post in the new Department through proper channel.

(This issues with the approval of Competent Authority).

Yours faithfully,

Enclosures: as above.


(Sanjay Bisht)

Regional Provident Fund Commissioner-I(HRM)

No. 28020/1/2010-Estt.(C)
 Government of India
 Ministry of Personnel, Public Grievances & Pensions
 (Department of Personnel & Training)

North Block, New Delhi
 Dated the 3rd April, 2016

OFFICE MEMORANDUM

Subject: Technical Resignation & Lien- Consolidated guidelines.

The undersigned is directed to refer to this Department's OM of even number dated the 26th December, 2013 on the above subject and to say that guidelines/ instructions regarding Technical Resignation have been issued from time to time. It is now proposed to further consolidate these instructions and clarify the related issues as the Department continues to receive frequent references on these issues.

2. Before these clarifications in the draft O.M are finalized, it is requested to furnish comments/views in this regard, if any, by 22.04.2016 to the undersigned at the e-mail address: dse@nic.in.


 (Mukesh Chaturvedi)
 Director (Estt.)
 Telefax: 23093176

To
 All Secretaries of Ministries / Departments.

Copy to:

1. President's Secretariat, New Delhi.
2. Vice-President's Secretariat, New Delhi.
3. The Prime Minister's Office, New Delhi.
4. Cabinet Secretariat, New Delhi.
5. Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
6. The Registrar General, the Supreme Court of India, New Delhi.
7. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
8. The Comptroller and Auditor General of India, New Delhi.
9. The Secretary, Union Public Service Commission, New Delhi.
10. Central Vigilance Commission, New Delhi.
11. Central Bureau of Investigation, New Delhi.
12. All Union Territory Administration
13. NIC cell with request to upload it under OMs and Orders, Establishment, Lien and also 'What is new'.

No. 28020/1/2010-Estt.(C)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

North Block, New Delhi
Dated the April, 2016

OFFICE MEMORANDUM

Subject: Technical Resignation & Lien- Consolidated guidelines.

The undersigned is directed to refer to this Department's OM of even number dated the 26th December, 2013 on the above subject and to say that guidelines/ instructions regarding Technical Resignation have been issued from time to time. It is now proposed to further consolidate these instructions and clarify the related issues as the Department continues to receive frequent references on these issues.

2. Technical Resignation

1. As per the Ministry of Finance OM No. 3379-E.III (B)/65 dated the 17th June, 1965, the resignation is treated as a technical formality where a Government servant has applied through proper channel for a post in the same or some other Department, and is on selection, required to resign the previous post for administrative reasons. The resignation will be treated as technical resignation if these conditions are met, even if the Government servant has not mentioned the word "Technical" while submitting his resignation. The benefit of past service, if otherwise admissible under rules, may be given in such cases. Resignation in other cases including where competent authority has not allowed the Government servant to forward the application through proper channel will not be treated as a technical resignation and benefit of past service will not be admissible. Also, no question of benefit of a resignation being treated as a technical resignation arises in case of it being from a post held on *ad hoc* basis.
2. This benefit is also admissible to Government servants who have applied before joining the Government service and on that account the application was not routed through proper channel. The benefit of past service is allowed in such cases subject to the fulfilment of the following conditions:-
 - (i) the Government servant should intimate the details of such application immediately on their joining;
 - (ii) the Government servant at the time of resignation should specifically make a request, indicating that he is resigning to take up another appointment under Government/ Government organisation for which he applied before joining the Government service;
 - (iii) the authority accepting the resignation should satisfy itself that had the employee been in service on the date of application for the post mentioned by

the employee, his application would have been forwarded through proper channel.

2.1 Carry forward of Leave benefits

(i) In terms of Rule 9(2) of the CCS (Leave) Rules,1972, technical resignation shall not result in the lapse of leave to the credit of the Government servant. The balance of unutilised CCL as well as all other leaves of the kind due & admissible will be carried forward.

(ii) As per rule 39-D of the CCS(Leave) Rules,1972, in case of permanent absorption in PSUs/ Autonomous Bodies/ State Government etc., the Government servant shall be granted cash equivalent of leave salary in respect of EL & HPL at his credit subject to overall limit of 300 days.

2.2 Carry forward of LTC

Entitlement to LTC may be carried forward in case of a Central Government Servant who joins another post after having submitted Technical Resignation. In case of a Govt Servant who resigns within 8 years of his appointment and joins another post in the Government after Technical Resignation, Govt Servant will be treated as a fresh recruit for a period of 8 years from the date of his initial appointment under Government.

2.3 Pay Protection, eligibility of past service for reckoning of the minimum period for grant of Annual Increment

In cases of appointment of a Government servant to another post in Government on acceptance of technical resignation, the protection of pay is given in terms of the Ministry of Finance OM No. 3379-E.III (B)/65 dated the 17th June, 1965 read with provisions of FR 22-B. Past service rendered by such a Government servant is taken into account for reckoning of the minimum period for grant of annual increment in the new post/ service/ cadre in Government under the provisions of FR 26 read with Rule 10 of CCS (RP) Rules, 2008. Pay of the substantive post held by the Government servant is protected. After Sixth Pay Commission, only the pay in the pay band is protected and the employee gets the grade pay of the post to which he is appointed after his resignation.

2.4 GPF transfer

Transfer of GPF on technical resignation would be governed by Rule 35 of the General Provident Fund (Central Services) Rules, 1960.

2.5 Seniority

The tenure of periods spent in the past service does not get included in determining the eligibility for the next promotion. In case of employees who retain a lien on submitting Technical Resignation, in the event of their reversion to their previous job, the period spent in the new job would not be counted for calculation of minimum qualifying service for promotion in their previous job. The individual will however in case of his reversion to parent organisation regain his seniority with effect from the date of his reversion .

2.6 Applicability of Pension Scheme

In cases where Government servants, who had originally joined government service prior to 01.01.2004, apply for posts in the same or other Departments and on selection they are asked to tender technical resignation, the past services are counted towards pension if the new post is in a pensionable establishment in terms of Rule 26(2) of CCS(Pension) Rules 1972.

2.7 New Pension Scheme

In case of 'Technical Resignation' of Government servant covered under National Pension System(NPS), the balance standing to their Personal Retirement Account (PRA) along-with their PRAN, will be carried forward to the new office".

2.8 Transfer of Service Book from parent Department to present Department.

As per SR- 198, the Service Book is to be maintained for a Government servant from the date of his/her first appointment to Government service and it must be kept in the custody of the Head of Office in which he is serving and transferred with him from office to office.

2.9 Need for Medical examination.

In cases where a person has already been examined by a Medical Board in respect of his previous appointment and if standard of medical examination prescribed for the new post is the same, then he need not be required to undergo a fresh examination.

2.10 Verification of Character & Antecedents

In the case of a person who was originally employed in an office of the Central Government, if the period intervening between date of discharge from his previous office and the date of securing a new appointment, is less than a year, it would be sufficient if the appointing authority, before making the appointment, satisfies itself by a reference to the office in which the candidate was previously employed that, (a) that office have verified his character and antecedents; and (b) his conduct while in the employ in that office did not render him unsuitable for employment under Government. If however, more than a year has lapsed after the discharge of the person from his previous office, verification should be carried out in full/afresh, in accordance with O.M.No.18011/9(s)/78-Estt(B) dated 2nd July,1982.

3 Lien

(i) Lien represents the right of a Government employee to hold a regular post, whether permanent or temporary, either immediately or on the termination of the period of absence. The benefit of having a lien in a post/service/cadre is enjoyed by all employees who are confirmed in the post/service/cadre of entry or who have been promoted to a higher post, declared as having completed the probation where it is prescribed. It is also available to those who have been promoted on regular basis to a higher post where no probation is prescribed under the rules, as the case may be.

(ii) The above right will, however, be subject to the condition that the junior-most person in the cadre will be liable to be reverted to the lower post/service/cadre if at any time the number of persons so entitled is more than the posts available in that cadre/service. For example, if a person who holds a lien to a post reverts from deputation or foreign service and if there is no vacancy in that post/service/cadre to accommodate him, the junior-most person will be reverted. If, however, this officer himself is the junior-most, he will be reverted to the next lower post/service/cadre from which he was earlier promoted.

3.1 Lien on a post

A Government servant who has acquired a lien on a post retains a lien on that post—

- (a) while performing the duties of that post;
- (b) while on foreign service, or holding a temporary post or officiating in another post;
- (c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
- (d) while on leave; and
- (e) while under suspension.

A Government servant on acquiring a lien on a post will cease to hold any lien previously acquired on any other post.

3.2 Retention of lien for appointment in another central government office/ state government

(i) A permanent Government servant appointed in another Central Government Department/Office/ State Government, has to resign from his parent department unless he reverts to that department within a period of 2 years, or 3 years in exceptional cases. An undertaking to abide by this condition may be taken from him at the time of forwarding of his application to other departments/offices.

(ii) The exceptional cases may be when the Government servant is not confirmed in the department/office where he has joined within a period of 2 years. In such cases he may be permitted to retain the lien in the parent department/ office for one more year. While granting such permission, a fresh undertaking similar to the one indicated above may be taken from the employee.

(iii) Timely action should be taken to ensure extension/ reversion/ resignation of the employees to their parent cadres on completion of the prescribed period of 2/3 years. In cases, where employees do not respond to instructions, suitable action should be initiated against them for violating the agreement/ undertaking given by them as per (3) and (4) above and for termination of their lien. Adequate opportunity may, however, be given to the officer prior to such consideration.

(iv) Temporary Government servants will be required to sever connections with the Government in case of their selection for outside posts. No lien will be retained in such cases.

3.3 Termination Of Lien

(i) A Government servant's lien on a post may in no circumstances be terminated even with his consent if the result will be to leave him without a lien upon a permanent post. Unless his lien is transferred, a Government servant holding substantively a permanent post retains lien on that post. It will not be correct to deny a Government servant lien to a post he was holding substantively on the plea that he had not requested for retention of lien while submitting his Technical Resignation, or to relieve such a Government servant with a condition that no lien will be retained.

(ii) A Government employee's lien on a post shall stand terminated on his acquiring a lien on a permanent post (whether under the Central Government or a State Government) outside the cadre on which he is borne.

(iii) No lien shall be retained:

- (a) where a Government servant has proceeded on immediate absorption basis to a post or service outside his service/ cadre/ post in the Government from the date of absorption; and
- (b) on foreign service/ deputation beyond the maximum limit admissible under the orders of the Government issued from time to time.

3.4 Transfer Of Lien

The lien of a Government servant, who is not performing the duties of the post to which the lien pertains, can be transferred to another post in the same cadre subject to the provisions of Fundamental Rule 15.

4 Joining Time, Joining Time Pay & Travelling Allowance

Provisions relating to joining time are as follows:

(i) For appointment to posts under the Central Government on results of a competition and/or interview open to Government servants and others, Central Government employees and permanent/ provisionally permanent State Government employees will be entitled to joining time under the CCS(Joining Time) Rules, 1979. Joining time will be included as qualifying service in the new job.

(ii) A Government servant on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition, he can also draw compensatory allowances like House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed Conveyance Allowance or permanent Transfer.

(iii) For appointments to posts under the Central Government on the basis of results of a competition and /or interview open to Government servants and others, Central Government

employees and permanent/ provisionally permanent State Government employees shall be entitled to Transfer Travelling Allowance(TTA). However, temporary Central Government employees with less than 3 years of regular continuous service would not be entitled for TTA, as they are not entitled joining time pay under Joining Time Rules.

5 All Ministries/ Departments are requested to bring the instructions/ guidelines to the notice of all concerned.

(Mukesh Chaturvedi)
Director (Estt.)
Telefax: 23093176

To
All Secretaries of Ministries / Departments.

Copy to:

- 14. President's Secretariat, New Delhi.
- 15. Vice-President's Secretariat, New Delhi.
- 16. The Prime Minister's Office, New Delhi.
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- 20. The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
- 21. The Comptroller and Auditor General of India, New Delhi.
- 22. The Secretary, Union Public Service Commission, New Delhi.
- 23. Central Vigilance Commission, New Delhi.
- 24. Central Bureau of Investigation, New Delhi.
- 25. All Union Territory Administration
- 26. Secretary, Staff Side, National Council (JCM), 13-C, Feroshah Road, New Delhi.
- 27. ADG(M&C), Press Information Bureau, DoP&T
- 28. NIC cell with request to upload it under OMs and Orders, Establishment, Lien and also 'What is new'.

(Mukesh Chaturvedi)
Director(E)

others or after an interview for appointment to such posts. The question whether provisionally permanent State and Central Government employees, and Central Government employees declared quasi-permanent under the provisions of Central Civil Services (Temporary Service) Rules, 1949, be accorded the same treatment in this respect as is given to the permanent Government employees has been under consideration for some time past. It has been decided that for the purpose of Government of India's decision above, provisionally permanent State and Central Government employees and quasi-permanent Central Government employees should be treated as on par with permanent Central and State Government employees.

These orders will take effect from the 7th April, 1955.

[G.L. M.F., O.M. No. F. 3 (3)-Estr. IV/56, dated the 3rd March, 1958 and their corrigendum of even number, dated the 23rd May, 1958.]

When a Government servant is declared permanent/quasi-permanent with retrospective effect, he may be allowed the concessions of travelling allowance, etc., under the aforesaid order.

[G.L. M.F., O.M. No. F. 3 (11) E. IV (B)/62, dated the 23rd June, 1962.]

(2) Temporary transfer.—

Entitlement: It has been decided that in all cases of transfers for short periods not exceeding one hundred and eighty days, the journeys from the headquarters to the station of deputation and back may be treated as on tour for purposes of regulating travelling allowance, daily allowance being paid for the days of halt at that station as under—

First 180 days	Full daily allowance
Beyond 180 days	Nil

2. If a temporary transfer initially made for a period not exceeding 180 days, is later extended beyond this period, the travelling allowance already drawn shall be adjusted in the transfer travelling allowance claim but the daily allowance admissible up to the date of issue of orders extending the transfer, will not be so adjusted.

3. Every transfer order should specify whether it is a regular transfer or a temporary transfer for a period not exceeding 180 days. In order to obviate difficulty in Central Audit, the nature/period of transfer is to be indicated in the travelling allowance Bill, i.e., in the column "purpose of journey" prescribed in the travelling allowance bill form.

4. The orders contained above apply only in the matter of regulating travelling/daily allowance and bear no effect on other factors like assumption of charge of a new post, change of headquarters, change of audit circle, drawal of pay and allowances of the post, etc., associated with the term "transfer" defined in Supplementary Rule 2 (18).

5. The claim for daily allowance for halt at the new station will require countersignature of the controlling officer in respect of the post at the new station, in case any portion of the claim remains undrawn on retransfer to the old headquarters.

(c) *Drawal of D.A.*: The period of 180 days for drawal of daily allowance for halt at an outstation on temporary transfer shall be calculated on the basis of the period of the halt which will begin from the time the forward journey ends at the outstation and will end at the time the return journey commences. The intention is to relate the limit to halt and not to entire absence.

2. No daily allowance will be admissible for halts at the station from which the Government servant is transferred in case he went on tour to that station from his temporary headquarters.

(d) *On transfer to third station before expiry of 180 days*: Where a Government servant on temporary transfer is transferred to another place before the expiry of 180 days (other than his old headquarters and the headquarters of temporary transfer), the travelling allowance may be regulated on the analogy of the provisions of SR 116-B.

[G.I., M.F., No. F. 7 (7)-Estt. IV (B)/63, dated the 24th May, 1965; 16th August, 1966; 21st August, 1967 and 16th September 1969; Letter No. F. 17 (2)-E. II (A), dated the 18th October, 1967; Letter No. 1939-E IV (B)/68, dated the 18th May, 1968; O.M. No. 19030/1/73-E. IV (B), dated the 2nd July, 1975 and 30th September, 1975; O.M. No. 19030/1/76-E. IV (B), dated the 30th January, 1978; O.M. No. 19030/2/86-E. IV, dated the 24th March, 1986 and O.M. No. 19030/5/86-E. IV, dated the 12th December, 1986.]

(3) **T.A. to officials appointed under a PSU.**—When the transfers of Central Government employees on getting appointment to a post under a Public Sector Undertaking, etc., are not in public interest, Government will not accept any liability for allowing the benefits of joining time, joining time pay and transfer travelling allowance. This is in keeping with the provisions of SR 114.

[G.I., C.S., O.M. No. 8/20/70-Ests. (C), dated the 2nd December, 1970.]

AUDIT INSTRUCTIONS

(1) See Audit Instruction below SR 17.

(2) When a Government servant is transferred otherwise than for the public convenience, a copy of the order of transfer should be sent to the Audit Office of the circle of audit in which he is serving with an endorsement, stating the reasons for the transfer. In the absence of such an endorsement, the Audit Officer shall assume that the Government servant has been transferred for the public convenience.

In the case of non-Gazetted Government servants, a certificate from the Head of the Office will be accepted in lieu of the copy of the order of transfer.

[Para. 16, Sec. II of Manual of Audit Instructions (Reprint)]