

TERMINATION & RESIGNATION

11.1 Termination of service of Temporary Government Servants

11.1.1 The conditions of service of temporary government servants are governed by the provisions in the Central Civil Services (Temporary Service) Rules, 1965. The services of a temporary government servant can be terminated under Rule 5(1)(a) of these rules which reads as under:

11.1.2 “Rule 5(1)(a) - The services of a temporary government servant shall be liable to termination at any time by a notice in writing given either by the government servant to the appointing authority or by the appointing authority to the government servant; and (b) the period of such notice shall be one month.”

(i) The notice shall be delivered or tendered to the government servant in person.

(ii) Where personal service is not practicable, the notice shall be served on such government servant by registered post acknowledgment due at the address of the government servant available with the appointing authority.

(iii) If the notice sent by registered post is returned unserved, it shall be published in the official gazette and upon such publication, it shall be deemed to have been personally served on such government servant on the date it was published.

11.2 Resignation from service

11.2.1 Resignation must be tendered to the appointing authority in respect of the service or post in question, who is competent to accept it. It should be clear and unconditional. Resignation from service will generally be accepted straightaway. However, before acceptance of resignation, prior vigilance clearance from the competent authority is mandatory.

11.2.2 Resignation from service or a post, unless it is allowed to be withdrawn in public interest by the appointing authority, entails forfeiture of past service except in the cases for taking up another appointment whether temporary or permanent with proper permission under the government. If a government servant applied for the post in the same or another department through proper channel and on selection, he/she is required to resign from the previous post for administrative reasons, it is to be treated as technical resignation and the past service is to be taken as qualifying service for the purposes of pension etc. The past service of such government servant also entitles him the benefits of fixation of pay and the

leave due to his/her credit on the day of resignation. In all cases of acceptance of resignation, the competent authority shall insist, as a mandatory measure, prior vigilance clearance, before taking decision on the request for resignation. When an authority refers a case for vigilance clearance, the authority competent to accord vigilance clearance should ensure expeditious consideration of the request. For the purpose of expeditious disposal of cases of resignation/termination, the check list (*placed at [Annexure-VI](#)*) prescribed by G.I. MHA, DP&AR OM No. 24011/1/76-Estt(B) dated 17.05.76 may be adopted.