



**GOVERNMENT OF INDIA**  
**Office of the Commissioner of Central Tax**  
**Kolkata Audit – I CGST & CX Commissionerate**  
**GST Bhawan (6<sup>th</sup> Floor), 180, Shantipally: Rajdanga Main Road: Kolkata – 700107**

F. No. V(8)12/CGST/Kol Audit – I/ RTI/Anurag/19-20/ 3100

Dated: 31.07.2019  
01-08-2019

To,  
SHRI ANURAG  
CHOTA PACHGARH, JIRWABARI,  
SAHIBGANJ,  
JHARKHAND-816109.

Sir,

**Sub: RTI application dated 26.06.2019 filed by Shri Anurag - under  
Right to Information Act, 2005 – Reg.**

Please refer to the RTI application dated 26.06.2019 filed by Shri Anurag on the above mentioned subject. This application has been transferred under Section 6(3) of RTI Act, 2005, to this office on 11.07.2019 vide letter under F.No. V(30)136/ Pr.CCO/CGST& CX/RTI/June/Kol/2019/12092-12103 dated 09.07.2019 issued by the CPIO & Assistant Commissioner, Office of the Principal Chief Commissioner, Kolkata Zone.

In response to the aforesaid application under the Right to Information Act, 2005, the desired information in respect of Kolkata Audit-I, CGST & CX Commissionerate is as given below:-

Point 1 :- As per DoPT's O.M. No. 28020/1/2010-Estt © dated 17.08.2016, the resignation is treated as Technical Resignation 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 (copy enclosed).

If you are aggrieved or dissatisfied with the reply, you are at liberty to prefer First Appeal within the stipulated time i.e. 30(thirty) days from the receipt of this reply before Shri K G V N Surya Teja, Joint Commissioner & 1<sup>st</sup> Appellate Authority, Office of the Commissioner of Central Tax Kolkata Audit – I CGST & CX Commissionerate, 6<sup>th</sup> Floor, GST Bhawan, 180 Shantipally, Rajdanga Main Road, Kolkata – 700107, under RTI Act, 2005.

Yours Sincerely,

Encl: as above (02 sheets)

(Debasish Ghosh)

CPIO & Assistant Commissioner  
Kolkata CGST & CX Audit – I Commissionerate

c/c

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

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North Block, New Delhi  
Dated 17<sup>th</sup> August, 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 26<sup>th</sup> 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, as the Department continues to receive frequent references on these issues.

**2.1 Technical Resignation**

2.1.1 As per the Ministry of Finance OM No. 3379-E.III (B)/65 dated the 17<sup>th</sup> 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.

2.1.2 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 fulfillment 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 the Government 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.

(DOPT's O.M.No.13/24/92-Estt(Pay-1) dated 22.01.1993)

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.


4. 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:

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. Secretary, Staff side, National Council (JCM), 13 C, Ferozeshah Road, New Delhi.
14. ADG (M&C), Press Information Bureau, DoP&T.
- ✓ 15. NIC Cell with request to upload it under OMs and Orders, Establishment, Lien and also 'What is New'.
16. Hindi Section, DOP&T.

  
(Mukesh Chaturvedi)  
Director (Estt.)

## RTI REQUEST DETAILS

**Registration No. :** GSTKT/R/2019/50020 **Date of Receipt :** 26/06/2019  
**Type of Receipt :** Online Receipt **Language of Request :** English  
**Name :** Anurag **Gender :** Male  
**Address :** Chota pachgarh jirwabari SAHIBGANJ , Pin:816109  
**State :** Jharkhand **Country :** India  
**Phone No. :** Details not provided **Mobile No. :** +91-8709298324  
**Email :** Sachusbg1986@rediffmail.com  
**Status(Rural/Urban) :** Details not provided **Education Status :** Details not provided  
**Is Requester Below Poverty Line ? :** No **Citizenship Status :** Indian  
**Amount Paid :** 10 ) **Mode of Payment :** Payment Gateway  
**Request Pertains to :**

To  
 The CPIO  
 CGST & CENTRAL EXCISE

**Information Sought :** SUBJECT SEEKING INFORMATION UNDER RTI ACT 2005  
 PLEASE PROVIDE THE FOLLOWING INFORMATION  
 1 AS PER DoPT rule there is a provision that if any one apply for any post  
 through proper channel, if get selected  
 Than resignation treated as technical resignation, is it applicable in CBIC.

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