To

All Administrative Secretaries/
Heads of Departments/Offices,
Chandigarh Administration.

Subject: Counting of past service rendered in Central Government/State Government on submission of technical resignation on or after 01.01.2004 by employees governed by old pension rules in Union Territory Administration, Chandigarh-reg.

Sir/Madam,

I am directed to refer on the subject noted above and to state that the Government of Punjab, Department of Finance (Finance, Pension Policy & Coordination Branch) Chandigarh has issued various instructions/guidelines regarding counting of past service on submission of technical resignation on or after 01.01.2004 as per details given below:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Letter No.</th>
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<tr>
<td>1.</td>
<td>6/10/2008-6FPPC/723 dated 24.10.2008</td>
<td>Counting of past service on submission of technical resignation on or after 01.01.2004.</td>
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<td>2.</td>
<td>6/10/2008-6FPPC/970 dated 17.08.2010</td>
<td>Counting of past service on submission of technical resignation on or after 01.01.2004.</td>
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</tbody>
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The Chandigarh Administration is pleased to adopt the above mentioned Punjab Government letters dated 24.10.2008, 17.08.2010, 16.09.2013, 19.02.2016 and 20.09.2016 in pursuance of clarification received from Govt. of India vide letter No. U-14012/1/2017-CHD dated 15.11.2017 (in the case of Shri Sumer Singh) for the UT Chandigarh Administration employees/pensioners on the same terms and conditions as laid down therein. The copies of above mentioned Punjab Government letters are enclosed for information and necessary action.

Yours faithfully,

Finance & Planning Officer,
for Finance Secretary,
Chandigarh Administration

Dated 02-01-2018

Endst. No. 65/1/42-UTFII(12)-2018/128

A copy, along with a copy of its enclosures, is forwarded to the:-

ii) Accountant General (A&E), Punjab, Chandigarh.
iii) Accountant General (Audit) Haryana, Chandigarh
iv) Director Public Relations, U.T., Chandigarh
v) Treasury Officer, Central Treasury, U.T. Chandigarh.
vi) State Informatics Officer, National Informatics Centre, U.T. Secretariat Chandigarh.

for information and necessary action.

Finance & Planning Officer,
for Finance Secretary,
Chandigarh Administration
ग्रामीण समिति से स्थानीय निर्धारण के संबंध में निर्देश

1. भूमि संरक्षण, यथास्वत्तम
2. पर्यावरण संरक्षण चेयर (राजनीतिक) यथास्वत्तम
3. सरकारी समिति संस्थान, भूमि यथास्वत्तम


dated 11/09/2008

1. भूमिसंरक्षण, यथास्वत्तम
2. पर्यावरण संरक्षण चेयर (राजनीतिक) यथास्वत्तम


dated 12/08/2008

1. भूमिसंरक्षण, यथास्वत्तम
2. पर्यावरण संरक्षण चेयर (राजनीतिक) यथास्वत्तम


dated 12/07/2008

1. भूमिसंरक्षण, यथास्वत्तम
2. पर्यावरण संरक्षण चेयर (राजनीतिक) यथास्वत्तम

Scanned by CamScanner
4. मुंबई महानगर, व्यवसाय संघ, महामहिमन्त अध्यक्ष
दरोपित, सामरिक संस्था हस्ताक्षरित विज्ञापन
(श्री.मी.श्री. शेख भी.माम) दस्तावेज, राहती दिनहोटी।
5. कपिल इमामिहाल, महामहिमन्त भाजील, दिव्य दिव्यमण, देवनाथ, भारतवर्ता-२२, भरतपुरान।

दिनांक १००१, शेष लिखिता हैं निम्नां दे नवयात्री छटी वेलिङ्ग

सन्दर्भ हैः
1. बनिस्तनवाण, रूपमाधुर्यसम्पत्ति, वेदोषिक।
2. बनिस्तनवाण, रूपमाधुर्यसम्पत्ति, वधदिवश।
3. बनिस्तनवाण, शुभ धरन भार वृद्धि विद्वानता, अविधायव।
4. बनिस्तनवाण, वर्तमानस सम्पत्ति, वधदिवश।
5. बनिस्तनवाण, शुभ धरन भार हैरानवाणी भवितथा सत्तिन
पुलियकालमें, वधदिवश।

लिखित दिख कल्य अधिकार, विद्वान वेदोषिककी सूचना है, सुधि सुधि भवितथा है।

लेखन प्रमाण,
मुंबई,
विद्वान वेदोषिककी सूचना

अ.दिव.म.द.ः ६/१०/२००८, विद्वान, वेदोषिकका ३५/१०/२००८
भाषा: हिंदी

पत्रकार नामकरण

(फिल्म पैकेजिंग परिवार द्वारा उपरोक्त यान्त्रिक)

पत्रकार: श्री जसीमुहम्मद

संबंधित विभाग:

'ग्राहक विभाग' के हॉटल, लाजपतरा नं. 31, दिल्ली


विभाग:

'ग्राहक विभाग' के हॉटल, लाजपतरा नं. 31, दिल्ली

मामला विवरण:

ग्राहक विभाग के हॉटल, लाजपतरा नं. 31, दिल्ली

वित्तियों, विनियम, तथा विलंबित प्रभाव पर

संबंधित सर्वेक्षण, संपादन अन्तर्गत

ग्राहक फिल्मिंग के संरक्षण

विवरण: जसीमुहम्मद से 1-1-2004 तक भारत में देखे मूवी परिवार के लिए कमांड कर देने हेतु पैकेजिंग की अवधारणा करते हुए संयमी ने फिल्म में विवरण के हॉटल, लाजपतरा नं. 31, दिल्ली के संरक्षण किया।

मामला विवरण:

1) दसी माह के बाद हम बिलासी के लिए 31-12-2003 से फिल्म के परिसर में पूर्वोत्तर में पैकेजिंग सेवाओं का अनुसरण किया जा रहा है, जैसे कि उनके आगमन/देखभाल को अंतर्गत है।

2) किलू विवरण बनाने के लिए पत्रकार के लिए 16/8/1998-6/8/309 फिल्मिंग 20-5-1982 तक के लिए ज्ञापन रेखा: 17/2/80-1 फिल्मिंग/9485 फिल्मिंग 14-5-1986 देखे मूवी परिवार/दसी माह के लिए विवरण/संयमांतर विवरण
All Heads of the Departments, Commissioners of Divisions, Registrar, Punjab and Haryana High Court, District and Sessions Judges and Deputy Commissioners in the State.

Sub: Counting of service of employees/retired employees of State Autonomous Bodies/ Boards/ Corporations/Universities etc. for the purpose of pension and pensionery benefits in Government Departments.

Sir/Madam,

I have been directed to refer to the subject cited above and to say that in a Civil Writ Petition No. 9251 of 2002 filed by Sh. S.C. Chadha, ex-employee of PUNTEX, who was absorbed in the Government Department, the Hon'ble Punjab and Haryana High Court allowed counting of PUNTEX service for the purpose of pension and pensionery benefits. This matter went up to Hon'ble Supreme Court of India in SLP No. 23907 of 2009, where the High Court order was upheld. The decision was qua the parties and the verdict in this case was on the basis of facts which were peculiar to the case.

2. However, on the basis of this decision, various departments have referred cases to the Finance Department for allowing them to count such type of service in respect of certain employees of their departments. As such, the matter was under active consideration of the Government.

3. The matter has been examined minutely in view of the judgement. A detailed scrutiny of the order reveals that it is a judgement in personam and not judgement in rem.

It relates to an employee of PUNTEX only and the Hon'ble High Court while passing orders have relied upon an undertaking given by the Finance Department in the case of employees of PUNTEX. As such, the order cannot be generalized for all such cases. Further, as per provisions of Rule 3.12 of CSR Vol. II, the service of a Government employee does not qualify for pension unless it confirms three conditions given there under.

4. In view of this position, it is clear that those employees of Punjab Government who have served under PSUs, their previous service, rendered in the PSUs, is not countable for the purpose of pension/pensionery benefits payable by the Government. The decision in the SC Chadha's case in view of the peculiar circumstances of the case is not applicable in general. Accordingly, it is reiterated that the cases may be dealt-with strictly in view of the position explained above and whenever such case is presented in courts, defense on the above quoted position may be taken in consultation with the Department of Finance to safeguard the interest of the Government.

Punjabi version of these instructions will follow.

Joint Secretary Finance
A copy is forwarded to the following for information and necessary action:-

(i) The Chief Secretary to Government Punjab, Chandigarh.
(ii) All the Financial Commissioners and the Principal, Secretaries to Government of Punjab
(iii) All the Administrative Secretaries to the Government of Punjab.
(iv) The Advocate General, Punjab, Chandigarh.
(v) Resident Financial Commissioner, Punjab, Punjab Bhawan, Copernicus Marg, New Delhi.

Joint Secretary Finance

A copy is forwarded to the following for information and necessary action:-

i) The Accountant General (Audit), Punjab, Chandigarh,
ii) The Accountant General (A&E), Punjab, Chandigarh

Joint Secretary Finance

A copy is forwarded to the following for information and necessary action:-

1. The Secretary to Government of Himachal Pradesh, Finance Department, Shimla.
2. The Secretary Government of Haryana, Finance Department, Chandigarh.
3. The Finance Secretary, Chandigarh Administration, (U.T.) Chandigarh.
4. Additional Director, Internal Audit Organization (R), Sector 22D, Chandigarh.
5. Examiner Local Fund Accounts, Punjab, Chandigarh.
6. All the Deputy Controllers (Finance and Account), IAO(R), Punjab, Chandigarh.
7. All the District Treasury Officers/Treasury Officers/ in the State for information and necessary action.
8. The President, Punjab State Accounts Services Association (Registered) Sector 22-D, Chandigarh.

Joint Secretary Finance
No. 6/10/2008-6FPPC/6936/1
Government of Punjab
Department of Finance
(Finance Pension Policy & Coordination Branch)
Dated, Chandigarh the 19-2-16

To,

All Heads of the Departments,
Commissioners of Divisions,
Registrar, Punjab and Haryana High Court,
District and Sessions Judges and
Deputy Commissioners in the State.

Sub:-

Technical Resignation.

Sir/Madam,

References are being received from various departments regarding Technical Resignation. This term has not been elaborated in Punjab Civil Services Rules. However, the Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, New Delhi vide their letter no. 28020/1/2010-Estt(C) dated 26.12.2013 has issued detailed instructions in this regard, the relevant portion of which is as under:-

"TECHNICAL RESIGNATION"

13. A resignation from the service or post entails forfeiture of entire past qualifying service. The exception is technical resignation which does not result in forfeiture of past service.

14. In cases where a Government servant applied for post in the same or other Departments through proper channel and on selection, is required to resign the previous posts for administrative reasons, the benefit of past service, if otherwise admissible under rules, is given treating the resignation as a "Technical Formality". Resignation submitted for other reasons or if competent authority has not allowed him to forward his application through proper channel is a resignation and benefit of past service will not be admissible.

15. This benefit is also admissible to Government servants who applied for posts in same or other Departments before joining 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 at the time of joining 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 and that his resignation may be treated a 'technical resignation'.
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. It has been decided that the above provisions shall also be applicable for the employees of Government of Punjab.

3. As regards cases where any government employee, who had joined government service at a pensionable post prior to 01.01.2004 and submits technical resignation to join any other post/department of Government of Punjab, the detailed instructions for counting of previous service for pensionary purposes have already been issued by the Department of Finance vide letter no. 6/10/2008-6FPPC/970 dated 17.08.2010, which shall continue to be implemented in toto.

4. Amendment of rules will follow in due course.

A copy is forwarded to the :-

1. Chief Secretary to the Government, Punjab.
2. All the Financial Commissioners and Principal Secretaries and Administrative Secretaries to the Government of Punjab.

For information and necessary action.

To,

1. Chief Secretary to the Government, Punjab.
2. All the Financial Commissioners and Principal Secretaries and Administrative Secretaries to the Government of Punjab.

I.D. No. 6/10/2008-6FPPC/69366/2 Dated, Chandigarh the 19-3-16
No. 6/10/2008-6FPPC/69366/3 Dated, Chandigarh the 19-2-16

A copy is forwarded to the :-

1. Accountant General (Audit), Punjab, Chandigarh.

For information and necessary action.
प्रति रिकर्ड 20/09/2016

प्रति रिकर्ड 1.01.2004 शास्त्री क्षण के जोड़ी में विषय उपयोगी अर्थ व भाषा के वाक्यों में वर्णन किए गए। जोड़ी को वर्तमान में व्यावहारिक रूप से नहीं छोड़ा जाता।

प्रति रिकर्ड 2. अप्रैल 15, 2004 तिथि में होने वाले विषयों के माध्यम से रिकर्ड दी गई। जोड़ी को वर्तमान में व्यावहारिक रूप से नहीं छोड़ा जाता।

प्रति रिकर्ड 3. जोड़ी के विषय उपयोगी अर्थ व भाषा के वाक्यों में वर्णन किए गए। जोड़ी को वर्तमान में व्यावहारिक रूप से नहीं छोड़ा जाता।