

MASTER CIRCULAR

Master Circular No. 21

Resignation from Railway Service

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Master Circular No. 21

RESIGNATION FROM RAILWAY SERVICE

At present, the orders relating to acceptance of resignations tendered by Railway servants are contained in a number of office circulars/orders issued from time to time. The question of consolidation of these existing orders/circulars into one Master Circular has been under consideration of the Ministry of Railways, Railway Board. They have now decided to issue a consolidated order on the subject as below for the information and guidance of all concerned:

2. In case a Railway servant against whom an enquiry or investigation is pending (whether he has been placed under suspension or not) submits his resignation, such resignations should not normally be accepted. Where, however, the acceptance of resignation in such cases is considered necessary in the public interest, the same may be accepted with the prior approval of the authority competent to dismiss the Railway servant concerned provided one or more of the conditions laid down below are fulfilled;

- a. **where the alleged offences do not involve moral turpitude ;**

OR

- b. where the evidence against the delinquent officer is not strong enough to justify the assumption that if the departmental proceedings were continued the officer would be removed or dismissed from service ;

OR

- c. where the departmental proceedings are likely to be so protracted that it would be cheaper to the public exchequer to accept the resignation.

[\[E\(NG\)II/70/RG/1 dated 24.06.1972\]](#)

3. In cases in which a Railway servant has committed an offence for which the penalty is dismissal or removal from service, his resignation should not be accepted.

[\[Para 302 of IRE Code Vol. I\]](#)

4. Persons deputed to UN agencies and other International organisations or those on bilateral assignments may resign from service without returning to India and to their parent departments if they choose to continue on foreign assignment. Government personnel deputed on ITEC assignment cannot resign while serving abroad as the Government of India in the Ministry of External Affairs bears the salary and other expenses of such persons.

5. When a Railway servant working on an important post resigns and it would take time to make alternative arrangements for filling the post, the resignations should not be accepted immediately but only when alternative arrangements for filling the post have been made.

[\[Para 302 IRE Code Vol. I; No. E\(NG\)65/RG1/36 dated 26.10.1966 and E\(NG\)65/AG1/2 dated 30.06.1966\]](#)

6. A resignation should not be accepted from a date earlier than the date on which the letter of resignation is submitted.

[\[E\(NG\)II/71/RG/1 dated 17.09.1971\]](#)

7. A person who had resigned may be re-employed in rare cases but the re-employment should be in the post or in the channel of promotion in which the person was serving previously. The person concerned should be specifically warned at the time of re-employment that the appointment is entirely a fresh one and that he is not entitled to any benefits or privileges of his past service. Therefore, such persons should not be asked to refund settlement dues. It should be clearly mentioned in the offer that the appointment is purely a temporary one and that he should take his seniority with the other temporary / officiating employees in the Grade. All such cases of re-employment should be approved by an officer of at least Junior Administrative Grade.

[\[E52 RC1/55/3 dated 14.03.1955\]](#)

8. Resignation from a service or a post, unless it is allowed to be withdrawn in the public interest by the competent authority, entails forfeiture of past service.

[F(E)III/77/PN1/11 dated 05.08.1977]

9. A resignation shall not entail forfeiture of past service if it has been submitted to take up, with proper permission, another appointment, under the Government, where service qualifies. Interruptions in service due to the two appointments being at different stations, not exceeding the joining time permissible, under the rules of transfer, shall be governed by grant of leave of any kind due to the employee on the date of relief or by formal condonation to the extent to which the period is not covered by leave due to him.

[F(E)III/77/PN1/11 dated 05.08.1977]

10. The authority competent to accept the resignation may permit a person to withdraw his resignation in the public interest on the following conditions:

- i. that the resignation was tendered by the Railway servant for some compelling reasons which did not involve any reflection on his integrity, efficiency or conduct and the request for withdrawal has been made as a result of a material change in the circumstances which compelled him to tender his resignation originally;**
- ii. during the intervening period between the date of his resignation and the withdrawal, the conduct of the person was not improper;**
- iii. that the period of absence from duty between the date on which the resignation became effective and the date on which a person was allowed to resume duty as a result of permission granted for withdrawal of resignation, is not more than 90 days ;**
- iv. that the post, which was vacated by the person or any other comparable post is available ;**
- v. withdrawal of a resignation shall not be accepted where a Railway servant resigns his service or post with a view to take up a private employment or in a company wholly or substantially owned or controlled by the Government or under a body controlled or financed by the Government; and**
- vi. when an order is passed by the competent authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include condonation of interruption in service but the period of interruption shall not count for qualifying service.**

[F(E)III/77/PN1/11 dated 05.08.1977]

11. The provision at Para 9 is not applicable in the case of resignations prior to 01.04.1957.

12. Subject to the above:

- a. the resignations of Group "A" & "B" Railway servants, other than those holding Administrative posts, serving on Railways may be accepted by the G.M. The acceptance of resignations of all other Group "A" servants shall**

require the sanction of the President and hence, should be referred to the Railway Ministry.

- b. the resignations of a Group "C" & "D" Railway servant may be accepted by the authority competent to fill the post held by him.

[[Para 302](#) of IREC Vol. I]

13. In this connection, attention is also invited to the provisions contained in [Chapter 3](#) of the Indian Railway Estt. Code Vol. I.

14. General:

- a. While referring to this Circular, the original letters referred to herein should be read for a proper appreciation. This Circular is only a consolidation of the instructions issued so far and should not be treated as a substitution to the originals. In case of doubt, the original circular should be relied upon as authority.
- b. The instructions contained in the original Circulars referred to have only prospective effect from the date of issue unless specifically indicated otherwise in the concerned circular. For dealing with old cases, the instructions in force at the relevant time should be referred to; and
- c. If any circular on the subject, which has not been superseded, has not been taken into consideration in preparing this consolidated letter, the said circular, which has been missed through oversight, should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of the Railway Board.

Original Orders/Circulars from which Consolidation has been made

1. [E52 RC1/55/3 dated 14.03.1955](#)
2. [E\(NG\)61/AG1/3 dated 23.08.1963](#)
3. [E\(NG\)65/AG1/2 dated 18.04.1966](#)
4. [E\(NG\)65/AG1/2 dated 30.06.1966](#)
5. [E\(NG\)65/RG1/36 dated 26.10.1966](#)
6. [E\(NG\)II/71/RG/1 dated 17.09.1971](#)
7. [E\(NG\)II/70/RG/1 dated 24.06.1972](#)
8. [E\(NG\)II/76/RG/1 dated 12.01.1977](#)
9. [F\(E\)III/77/PN1/11 dated 05.08.1977](#)

Orders issued subsequently

1. **Supplementary Circular No. 1 to Master Circular No. 21.** [E\(NG\)I/91/RG1/1 dated 27.12.1991](#) (RBE 223/91).
2. **Supplementary Circular No. 2 to Master Circular No. 21.** [E\(NG\) I/91/RG1/1 dated 30.4.1992](#) (RBE 66/92)
3. **Supplementary Circular No. 3 to Master Circular No. 21.** [E\(NG\)I/92/RG/2 dated 18.05.1992](#) (RBE 79/92)

4. **Supplementary Circular No. 4 to Master Circular No. 21. [E\(NG\)I/94/RG/2 dated 30.12.1994](#) (RBE 119/94).**
5. **Supplementary Circular No. 5 - not advisable to reappoint a person who had resigned to contest an election vide Railway Board's letter No. [E\(NG\)I-96/RG1/1 dated 17.02.1997](#) (RBE 28/1997).**