

The U.P. Government Servants Resignation Rules, 2000

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In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor is pleased to make the following rules: up553

1. Short title and commencement. - (1) These rules may be called "The Uttar Pradesh Government Servants Resignation Rules, 2000".

(2) They shall come into force at once.

2. Overriding effect. - These rules shall have effect notwithstanding anything to the contrary contained in any other rules made by the Governor under the proviso to Article 309 of the Constitution or executive order issued in this behalf.

3. Definitions. - In these rules, unless there is anything repugnant in the subject or context, the expression-

(a) "*Appointing Authority*" in relation to any service means the authority empowered to make appointments to such service under the relevant service rules;

(b) "*Constitution*" means the Constitution of India;

(c) "*Government*" means the State Government of Uttar Pradesh;

(d) "*Government Servant*" means a person substantively appointed to a post under the relevant service rules made under Article 309 of the Constitution;

(e) "*Governor*" means the Governor of Uttar Pradesh;

(f) "*Substantive appointment*" means an appointment, not being an *ad hoc* appointment, on a post in the cadre of the service, made after selection in accordance with the service rules relating to that service.

4. Notice of Resignation. - (1) A Government servant may resign from his service by giving three months notice in writing.

(2) The notice of resignation shall be-

(i) voluntary and unconditional;

(ii) addressed to the appointing authority under intimation to the authority under whom the said Government servant is working at the time of tendering resignation :

Provided that it shall be open to the appointing authority to allow a Government servant to resign without any notice or by a shorter notice.

5. Acceptance or Refusal of Resignation. - (1) The resignation of the Government servant shall not be effective unless it is accepted by the appointing authority and formal order is issued thereof. The appointing authority may, in his discretion, refuse to accept the resignation, if-

(i) the Government servant owes to the Government any sum of money and/or any other liability unless the amount due has been paid or the liability discharged; or

(ii) the Government servant is under suspension; or

(iii) any inquiry is contemplated or pending against him; or

(iv) investigation, inquiry or trial relating to criminal charge is pending and such charge is connected with his official position as the Government servant.

(2) The appointing authority shall, as far as possible, take decision on the request of resignation before the expiry of the period of notice.

6. Termination of Service. - The services of the said Government servant shall stand terminated with effect from the date of issue of order of the acceptance of his resignation or from such future date as mentioned therein.

7. Withdrawal of Resignation. - The Government servant may withdraw his resignation by making a request in writing to the appointing authority only before the date of termination of his services as provided in rule 6 of these rules.