

RTI REQUEST DETAILS

Registration No. : PGCIL/R/E/22/00039	Date of Receipt : 28/01/2022
Type of Receipt : Online Receipt	Language of Request : English
Name : ARVIND	Gender : Male
Address : Birla Nagar, Gwalior, Pin:474004	
State : Madhya Pradesh	Country : India
Phone No. : +91-9923017944	Mobile No. : +91-9923017944
Email : arvindsingharya8@gmail.com	
Status(Rural/Urban) : Urban	Education Status : Graduate
Is Requester Below Poverty Line ? : No	Citizenship Status : Indian
Amount Paid : 10)	Mode of Payment : Payment Gateway
Does it concern the life or Liberty of a Person ? : No(Normal)	Request Pertains to :
<p>Please provide the following information</p> <p>Q1) Please provide the mechanism of bond transfer under O.M. No. 28021/1/84-Estt(C). This provides for the transfer of bond in cases where the application has been made before the enactment of the Bond (enclosed). (Clarification: OMs No. BPE/GL-017/77/MAN/2(11) dated 13.6.1977 and 23.5.1981 and No. 17/20/84-GM dated 5.2.1985 was revived as per order DPE O.M. No. 15(2)/2003-DPE(GM)/GL-57 dated 29th July, 2004)</p> <p>Information Sought : Q2) How many candidates have done bond transfers from POWERGRID in the last year 10 years? And Please tell the mechanism for doing so.</p> <p>Q3) Please provide complete details of the candidates who have done bond transfer from POWERGRID in last 10 years and provision under which bond transfer was done?</p> <p>Q4) Please provide the provision under which Sumit Kumar bond was transferred from POWERGRID to Ministry of Road Transport & Highways?</p> <p>Q5) Also provide the copy of bond transfer of Sumit Kumar (w.r.t. Q4)</p>	
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>	

No. 28021 / 1 / 84-Estt(C)

Government of India
Ministry of Personnel, P.G. & Pensions
(Department of Personnel and Training)

Dated: November 14, 1986

Office Memorandum

Sub:- Enforcement of bond in respect of Central Govt servants/employees of public enterprises, who leave service to secure employment elsewhere Question regarding.

The undersigned is directed to refer to the Ministry of Home Affairs O.M.NO.70/10/60- Estt (A), dated 9.5.60 the bond (which the Govt servants receiving scientific and technical training at Govt. expense have to execute, undertaking to repay the money in the event of their failure to serve the Government for a specified number of years after completion of their training) should be enforced against those Government servants only, who leave Government service in order to secure private employment. It was further clarified vide the Ministry of Home Affairs O. M. No.F.5/10/66-Estt(C), dated 15.4.66 (Annexure-II) that the terms of the bond may not be enforced in this case of Government servants, who leave Government service to, secure employment, under a State Government, a public sector undertaking, owned wholly or partly by the Central Government or by a State Government, or a quasi- Government organisation. In such cases, a fresh bond is to be taken from such Government servants to ensure that they served the new employer for the remaining period of the bond.

2. Attention is also invited in this connection to the Bureau of Public Enterprises 'Ministry of Finance' O.M. No. BPE/GL -017/77/MAN/2(11)/75-BPE (GM-I), dated 13.6.1977 (Annexure-III) , in which it has been laid down that the terms of bond executed by an employee of a Public Enterprise, who has received scientific/technical training at the cost of the Enterprise, should not be enforced in case he joins the Central Government a State Government, a quasi-Government organisation or another Public Enterprises, subject to the condition that a fresh bond is taken to ensure that the employee serves the new employer for the balance of the original bond period.

3. Instances have come to the notice of this Department, that the terms of the bond were enforced to ensure these employees also, who left service to secure employment other than private employment, and they were asked to refund proportionate service bond money, even though such a refund was not warranted in terms of the existing instructions, and all that was required was execution of a fresh bond by the individual concerned with the new employer, to the effect, that he would serve them for the balance of the original bond period. It may be clarified that for the purpose of these instructions, any employment other than the employment under the Central Govt, a State Govt, a public Enterprise wholly or partly owned by the Central Government or a State Government, or an autonomous body wholly or substantially owned/ financed/ controlled by the Central Government, will be treated as private employment.

4. While the instructions referred to in para 1 and 2 above cover the employees of the Central Government and those of Central Public Enterprises, they do not automatically apply to the employees of autonomous bodies, wholly or substantially owned/ financed/ controlled by the Central Government. It has however, come to the notice of this Department, that though such autonomous bodies generally follow the instructions of the Government of India in regard to service conditions of their employees, these employees are sometimes put to undue hardship in the absence of instructions specifically applicable to them, regarding exemption from enforcement of bond as referred to in para 1 and 2 above. The matter has been examined in the department, and it has been decided that the facility of exemption from the enforcement of bond, as it is available to the employees of the Central Government and those of Central Public Enterprises, may also be extended to the employees of autonomous bodies, wholly or substantially owned/financed/controlled by the Central Government, in case they leave the service of the autonomous body in order to secure employment other than private employment as defined in para 3 above.

5. To sum up, the terms of the bond (which a Central Government, an employee of a Central Public Enterprise or an employee of an autonomous body wholly or substantially owned/ financed/ controlled by the Central Government, receiving scientific and technical training at the expense of

the Government/ Enterprise/ autonomous body has to execute, undertaking to repay the money in the event of his failure to serve the Government Enterprise/ autonomous body for a stipulated period after completion of his training) should not be enforced against an employee, who leaves service of the Government/ Enterprise/ autonomous body to secure, with proper permission, employment under the Central Government, or a State Government, or an autonomous body wholly or substantially owned/financed/ controlled by the Central Government. In such a case, a fresh bond should be taken from the person concerned to ensure that he serves the new employer for the balance of the original bond period.

6. A doubt has also been raised whether the word 'training' covers apprenticeship and whether exemption from recovery of expenses, as laid down in these instructions, includes payment made to an individual in the shape of training allowance or stipend. It is hereby clarified that these instructions are not restrictive, but cover all aspects of training including apprenticeship. It is further clarified that exemption from recovery of expenses applies to all types of expenditure - direct or indirect - including payments made as training allowance or stipend.

7. To ensure that the requirement of obtaining a fresh bond from a person, where necessary, in fulfilled, the department/organisation etc., with whom the employee has executed the original bond, may, at the time of forwarding of his application (and if it is not possible, before his release) for another post, may write to the department/organisation etc., under whom the employee intends to take up another appointment, intimating them about the bond obligation of the individual and clarifying that in the case of his selection for the new post, his release will be subject to the condition that the new department/organisation etc. take from him a fresh bond binding him to serve them for the balance of the original bond period, and in case he fails to serve the new department/organisation etc, or leaves it before completion of the original bond period, for a job, where exemption from bond obligation is not available, the proportionate bond money should be realised from the individual and refunded to the first department/organisation etc. with whom he originally executed a bond. The Ministry/Department /Organisation where the person is newly employed should also duly intimate the original Ministry/Department/Organisation, the fact of a fresh bond having been executed with the person concerned.

8. These instructions will also apply to cases where an employee of the Central Government / a Central Public Enterprises / an autonomous body, wholly or substantially owned / financed / controlled by the Central Government has been selected for a post / service (other than private employment), for which he had applied before joining the department/organisation etc., with whom he has executed a bond.

9. Ministry of Finance etc, are requested to bring these instructions to the notice of all concerned for strict compliance.

Sd/-
Miss Manjula Subramaniam
Deputy Secretary to the Govt. of India

CHAPTER-II
PERSONNEL POLICIES

(C)Service Matters

29. Enforcement / transfer of bond in respect of employees of Public Enterprises who leave the services of one Undertaking to join another Undertaking/ Government.

The undersigned is directed to refer to this Department's OMs No. BPE/GL-017/77/MAN/2(11)/75-BPE(GM-I) dated 13.6.1977 and 23.5.1981 and No. 17/20/84-GM dated 5.2.1985 on the subject mentioned above, which were deleted vide this Department's O.M. No. 20(5)/95-DPE(GM) dated 10th December, 1997. After deletion of these guidelines, Department of Public Enterprises received references from various quarters for revival of these guidelines to enable them to regularize enforcement/ transfer of bond in the case of public sector employees joining services in Central Govt./State Govt./Autonomous Bodies. The position has been reviewed and after careful consideration, it has been decided to revive this Department's OMs dated 13.6.1977, 23.5.1981 and 5.2.1985 with the following modifications:

(a) The bond executed by employees of the Public Enterprises, who have received scientific/technical training at the cost of Public Enterprises and have applied through proper channel during the currency of the bond join Central Govt./State Govt. services or take up employment under quasi-government organizations or any other public enterprise either on the basis of competition examinations/tests/interviews organized by those organizations or the Union Public Service Commission should not be enforced subject to the condition that a fresh bond is taken to ensure that the employee serves the new employer for the balance of the original bond period.

(b) The terms of bond whereby an employee of a Central public enterprise receiving scientific and technical training out the expenses of the Govt./Public Sector Enterprises undertakes to repay this specified amount in the event of his failure to serve the enterprise for a stipulated period after completion of his training should not be enforced against an employee who leaves service of public enterprise to secure, with proper permission, employment under the Central Govt., a public enterprise or an autonomous body wholly or substantially owned/financed/controlled by the Central/State Govt. A fresh bond should be taken from the person concerned to ensure that he serves the new employer for the balance of the original period.

(c) To ensure that the requirement of obtaining a fresh bond from a person, where necessary, is fulfilled, the enterprise with whom the employee has executed the original bond may at the time of forwarding his application write to the organization etc. under whom the employee intends to take up another appointment intimating them about the bond obligation of the individual and clarifying that in the case of his selection for the new post, his release will be subject to the condition that the new organization take from him a fresh bond binding him to serve them for the balance of the original bond period; in case he fails to serve the new department/organization etc. or leaves it before completion of the original bond period for a job where exemption from bond obligation is not available, the proportionate bond money should be realised from the individual and refunded to the first organization with whom he originally executed the bond.

2. All the administrative Ministries/Departments are requested to kindly issue necessary instructions accordingly to the public sector enterprises under their administrative control.

(DPE O.M. No. 15(2)/2003-DPE(GM)/GL-57 dated 29th July, 2004)
