

CHAPTER - XV

Applications to Union Public Service Commission for posts elsewhere

*O.M.No.PER
66/79/4, dt.
26th,April,
1982*

1. In regard to the forwarding of applications to the Union Public Service Commission from candidates serving under the State Government, it has now been decided that person already in Government service who wish to appear at a competitive examination conducted by the Union Public Service Commission or wish to apply for a post recruitment to which is proposed to be made by Selection through the Union Public Service Commission may submit their applications in the prescribed form direct to the Commission. They should, however, simultaneously inform the Head of their Office/Department giving details of the examination/post for which they have applied requesting him to communicate his permission direct to the Commission. In case the Head of Office/Department considers it necessary to withhold the requisite permission, he should inform the Commission within 30 days of the closing date for the receipt of the applications by the Commission. In case no such communication is received from the Head of Office/Department, it shall be presumed by the Commission that there is no objection on the part of the employing Department/Authority to the candidature of the Government employees in question to be considered by the Commission.

**Applications of Government servants applying for posts elsewhere –
Instruction thereof -**

*Circular No
.PER(AR)185
/82/15, dt.29th
Sept, 1982*

2.1. Government have had under consideration the manner of regulating applications received by different Departments/ Offices from Government servants applying for posts elsewhere advertised by the Meghalaya Public Service Commission and the District Selection Committees, etc. from time to time. The practice hitherto was that such applications were first received in the different Departments / Offices in which those Government servants serve. As there was no hard and fast rules in dealing with such applications, final decisions were taken by the appointing authorities, including the point as to whether such applications should be forwarded or not. On many occasions, it has been found that the applications of many candidates for posts advertised have not been received in time, either by the Meghalaya Public Service Commission or the District Selection Committees, etc.

2.2. Government have now decided that in suppression of all instructions issued earlier, Government servants who intend to apply for posts/appointments elsewhere may, henceforth send their applications direct, either to the Meghalaya Public Service Commission or the District Selection Committees, etc. as the case may be, under intimation to their respective appointing authorities. The appointing authorities may either accord formal

permission on the strength of those applications directly submitted by the Government servants or may decide not to accord any permission at all. The applications of the Government servants shall not be entertained by the Meghalaya Public Service Commission or the District Selection Committees, etc., unless formal permissions from the appointing authorities are received by them on or before the date of examination or the date of interview fixed, whichever is earlier.

2.3. To enable the appointing authorities to deal with such cases, the following guidelines are given :-

2.3.1. In the case of the applications of purely temporary Government servant:

The appointing authorities should readily accord formal permission unless there are compelling grounds of public interest for not according the same, which are to be recorded in writing.

2.3.2. In the case of applications of permanent Government servants:

On receipt of such intimation from Government servants, who have submitted their applications directly to the Meghalaya Public Service Commission or the District Selection Committees, etc., the appointing authorities should take appropriate decisions immediately and intimate the Meghalaya Public Service Commission/District Selection Committee with a copy to the person concerned.

It is an accepted principle that Government servant who has offered and has accepted a permanent post or a permanent appointment to a regular service cannot justly complain of hardship or harsh treatment if formal permission in respect of his application for any other post or appoint is not accorded.

2.3.3. In the case of application from temporary Government servants who may gave good prospect of being made permanent in due course :-

As soon as intimations are received in respect of such applications, the appointing authorities should be able to appropriately deal with the cases of those Government servants strictly on their merits. Technically, it is much easier to accord permission in cases of this category than in cases of category mentioned at Para 1.3.2 above. The concerned authorities should of course, take final decision either way, as immediately as possible, under intimation to all concerned.

2.3.4. In the case of applications of Government servants who have been given some special training at Government expenses after commencement of service:

The State Government will be justified in insisting returns that a Government servant, who was given a special training at Government expenses, to continue to serve a particular department and can, therefore, reject his application. However, appointing authorities are advised to keep the following considerations in view:-

- (a) when the financial involvement in the training imparted to any Government servant is not that significant;
- (b) when it appears to the appointing authorities that the applications of the Government servants are for posts/appointments of much higher ranks and with better prospect.

2.3.5. In the case of applications of Government servants for employment in private business/industrial firms/industrial organisations, etc.:

No Government servant can apply for any employment in any private business/industrial firm/industrial organisation, etc., unless he has obtained prior permission for doing so. While seeking such permission, a Government servant should indicate that he is ready to resign or to retire from Government service in the event of his securing an appointment/employment. Government may refuse such applications if the exigencies of public service and other cognate consideration demand so.

2.3.6. In the case of applications to join the Indian/Naval/Air/Armed Forces:

When applications of Government servants applying for post in the Indian Naval/Air/Armed Forces/Para-Military Forces are required to be routed through the appointing authorities, those applications should be forwarded without any delay or if applications are allowed to be submitted directly and if only permissions are required to be accorded, the same should also be accorded without delay.

2.4. Besides the different situations mentioned above, Departments/Offices are urged upon to see that in all such matters the interest of the applicants are properly balanced against the interest of public service and that a judicious decision is taken.

2.5. To reiterate, Departments / Offices should see that decisions are taken immediately in respect of all such applications. In case applications of Government servants are required to be routed through the appointing authorities, the same should immediately be taken up so that the Meghalaya Public Service Commission/District Selection Committees are informed within the date(s) fixed or any decision taken.