

F.No. 12017/1/2006-ISS
Ministry of Statistics & PI
ISS Division

Sardar Patel Bhawan, Sansad Marg,
New Delhi, Dated 21st January, 2016

ORDER

1. WHEREAS Shri A.K.Gupta, ISS (1984 batch) proceeded on foreign deputation as Coach/Advisor to the Government of Afghanistan in the Joint Coordination and Monitory Board (JCMB) Secretariat, Government of Afghanistan when he was posted as Director Ministry of Rural Development. Shri A.K.Gupta was relieved from Ministry of Rural Development with effect from 16.06.2007 (FN) vide Office Order No. 60012/2/2003-Estt-I dated 13.06.2007.
2. AND WHEREAS Shri A.K.Gupta vide his letter dated 10.05.2010, informed that he is working with UNDP, Afghanistan in the National Intuitions Building Programme (NIBP) (earlier called the capacity for Afghan Public Service (CAP) Project) since June 2007 and that he was posted at Central Statistics Organisations, Afghan as capacity Building Advisor. Shri Gupta further informed that he has been offered a post in United Nations Assistance Mission in Afghan (UNAMA). Accordingly, he had sought Cadre Clearance for joining UNAMA.
3. AND WHEREAS, vide this Ministry's OM dated 18.05.2010, Shri Gupta was granted 'No Objection' to join UNAMA in continuation with his assignment with UNDP up to **16.06.2012**. He was also directed to report back to Cadre on completion of approved tenure that is on **17.06.2012**.
4. AND WHEREAS Shri Gupta vide his letter dated 15.03.2012 addressed to Ministry of Rural Development had applied for voluntary retirement from the service with three months notice. This notice of voluntary retirement was examined by Ministry of Rural Development. Ministry of Rural Development sought clarification from DOPT, as to whether voluntary retirement can be considered without joining the parent office or Department of Rural Development from where he was relieved to take up the foreign assignment.
5. AND WHEREAS, DOPT in response vide OM dated 02.05.2012 had inter alia clarified certain circumstances under which notice for voluntary retirement under Rule 48-A of CCS (Pension) Rule cannot be accepted. DOPT had advised to consult Department of Pension and Pensioner Welfare also as the matter involved Pension Rules. Ministry of Rural Development vide its ID No. A-60012/2/2003-Estt.I dated 05.06.2012 referred the matter to Department of Pension and Pensioner Welfare

seeking clarification with regard to voluntary retirement without resuming duty in India and serving for a period not less than 1 year.

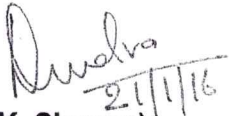
6. AND WHEREAS, Shri Gupta, whose tenure of foreign deputation was till **16.06.2012** and he was under specific direction to report to the Cadre did not report to cadre nor did he respond to the letter no. A-38012/3/2012-Estt.I dated 05.07.2012 of Ministry of Rural Development vide which he was directed by Ministry of Rural Development to take up the matter with Cadre Authorities.

7. AND WHEREAS Shri Atul Kumar Gupta, ISS whose tenure on foreign deputation expired on 16.06.2012 and his notice for voluntary retirement was not processed/examined in view of the matter getting covered under the provisions of Rule 48-A neither took the matter with this Ministry with regard to his voluntary retirement nor for any regularisation/continuation beyond the period of 5 years.

8. AND WHEREAS, Shri Gupta was once again requested vide OM no. 12017/1(II)/2006-ISS (pt) dated 23.7.2014 to revert back to the cadre immediately and positively by 20.08.2014. Also vide letter no. A-38010/3/2012-Estt.I dated 23.07.2014 Chief Recruitment Team, UNAMA, Kabul was informed about unauthorised continuation of Shri Gupta beyond 16.06.2015. However no response was received from Shri Gupta. Later on a reminder was sent vide OM No. 12017/1/2006-ISS(pt) dated 04.09.2014.

9. AND WHEREAS DOPT's OM dated 04.02.2008 related to the terms and conditions for foreign service at para 11 of Annexure 1 provides that the limit of 5 years in one stretch and 7 year in the entire career for foreign service to international organisations shall not be extended under any other circumstances. **The officer will deemed to be resigned from service in case he/she fails to join the Government within one month of completion of his/her tenure with the concerned organisation.**

11. Now therefore, with the approval of Competent Authority, it has been decided to treat Shri Atul Kumar Gupta, ISS (1984 batch) as deemed to have resigned from the Government of India w.e.f. 16.06.2012 i.e. date of completion of his tenure of foreign assignment.


(D.K. Sharma)

Under Secretary to the Govt. of India

Distribution

1. Shri Atul Kumar Gupta.
2. Shri Antonio Yu, Chief, Recruitment team, United Nations Assistant Mission, Afghanistan, Kabul.
3. DoPT, [Shri Chhatra Mani, Under Secretary] with respect to their O.M. No. 12/33/2012-FA (UN) dated 01.08.2014.

4. M/o rural Development, [Estt. I Section], New Delhi.
5. PS to Hon'ble MOS (I/C), S&PI.
6. Sr. PPS to Secretary, S&PI.
7. PPS to Special Secretary, S&PI.
8. DG, CSO
9. DG, (NSSO)
10. JS(Admn.)
11. All ADGs of MOS&PI.
12. DDG (PI), MOSPI
13. Director, IFD, MOS&PI.
14. Director & HOD, MOS&PI, New Delhi
15. US/(Admin I)/ (Admin II)/ (Admin III)/ (Admin IV)/ General/C&A Sections, MOS&PI, New Delhi.
16. DDG Computer Centre for placing on the website of the Ministry.
17. Notice Board.
18. ISS Database Cell.
- ✓ 19. Master Set 2016.
20. AD (OL) for Hindi Version

