

APPLICATION FOR NO OBJECTION CERTIFICATE FOR APPLYING PASSPORT TO UNDERTAKEN
FOREIGN TRIP
(Govt. Lr.No.1410/A/96-1 P & AR. Dept. 19.2.96 and 13676/A/98-9 Dt:7.1.2000)

1.	Name, Designation, Office address Scale of Pay	
2.	Date of Retirement	
3.	Name of the Countries proposed to visit, and duration	
4.	Purpose of visit	
5.	Source of funds to meet the cost of the proposed foreign travel	
6.	State whether any criminal prosecution is contemplated or pending against you; and whether your presence as witness would be needed in any criminal case under investigation or trial	

CERTIFICATE

I undertake that I will uphold the honor and dignity of our Nation and will not indulge in any fact prejudicial to the integrity and sovereignty of our country during my travel and stay abroad.

Signature of the Applicant

ANNEXURE

1.	Name, Designation, Office address Scale of Pay	
2.	Date of retirement	
3.	Present address	
4.	Permanent address	

5. Places of working in last 10 years

S.No	Name of the Post	Controlling Officer	Period
1.			
2.			

Signature of the Applicant

Certified that the above particulars are verified with official records and found correct.

Head of Office

FORM

1.	a) Name of the Officer	
	b) Qualification	
2.	Status	
3.	TNPSC No. and year and section to which selection	
4.	Period of stay in abroad and how the period in proposed to be regularized	
5.	Purpose of visit	
6.	Places proposed to visit	
7.	Source of income for the amount proposed to be spent in abroad (with evidence if any)	
8.	Whether any obligatory (or) binding period is pending to be served in this department	
9.	Whether any disciplinary case is pending	
10	Whether any recovery is pending	
11	Whether any vigilance case is pending or to be contemplated against the individual	
12	Whether there are any grounds believe that the applicant could figure adversely on the security records of the Government	
13	Whether any Government expense is involved in that case	
14.	Remarks if any	

Signature of the Applicant

Certified that the above particulars are verified with official records and found correct.

Head of Office

UNDERTAKING

1. I am not going to take up any appointment or training or study programme during the period.
2. The entire expenditure will be met out by me from my personal savings.
3. I will not tender resignation of the post held by me under this Government while abroad.
4. I will not canvas or seek any business while abroad.
5. I will apply leave to the Government for which I am eligible before proceeding the abroad.
6. I will not use the passport obtained on the basis of "No objection Certificate" for any subsequent trip abroad for any purpose without the prior sanction of the competent authority.

Signature of the Applicant

//Counter signed//

Head of Office.

PERSONNEL & ADMINISTRATIVE REFORMS (A) DEPARTMENT

LETTER NO.42138/93-2,

Dated 5.7.1993.

From

THIRU.M. AHMED, I.A.S.,
Secretary to Government.

To

All Secretaries to Government,
All Departments of Secretariat, Madras-9.

Sir,

Sub :Foreign Employment – Grant of No Objection Certificate under Rule 24A of Tamil Nadu Government Servants Conduct Rules, 1973 – To seek employment abroad Instructions – Issued.

Ref :1. Govt.Lr.No.62364/A/84-2, Personnel and Administrative Reforms
(Per.A) Department, dated 2.11.84.

2. Govt.Lr.No.70790/Per.A/85-3, dated 14.10.85.

3. G.O.Ms.No.196, Personnel & Administrative Reforms (FR.II) Department, dated 20.5.91.

In the G.O. third cited, Government servants have been permitted to apply for and secure employment abroad either through Overseas Manpower Corporation Ltd., or through any other available sources subject to certain conditions laid down therein.

2. It has been brought to notice that private agencies insist on the possession of a passport for applying for job abroad and the Government servants are unable to apply for and secure job abroad without a passport.

3. Under Rule 24(a) of the Tamil Nadu Government servants Conduct Rules, 1973, "No Objection Certificate" from Government is necessary for a Government servant to apply for grant or renewal of passport or for undertaking trips to a foreign country. While applying for such "No Objection Certificate", information regarding the purpose of visit, the duration of stay and the names of countries proposed to be visited should be furnished by the Government Servant.

4. There is no provision in rule 24(A) of Tamil Nadu Government Servants Conduct Rules, 1973, to grant "No Objection Certificate" to the Government Servants to obtain passport for the purpose of seeking employment abroad. As the Government Servants are permitted to apply for and secure employment abroad in the G.O. third cited, it has been decided that "No Objection Certificate" may be granted to them to obtain passport to seek employment abroad.

5. The following guidelines and conditions are prescribed in addition to the guidelines already issued in the government letter first and second cited (copies enclosed) for issue of "No Objection Certificate" to the Government servants to obtain passport for seeking employment abroad :

1. that no prosecution is pending or contemplated in a court of law against the Government servant;
2. that he does not belong to scarce category whose services are considered essential to the State Government;
3. that no Government dues are pending recovery from the Government Servants.
4. That the Government Servant should not leave out of India without prior permission of the Government utilizing the Passport obtained on the basis of the No Objection Certificate" and the violation of this condition will entail severe disciplinary action against the Government servant
6. I am directed to request you to follow the above guidelines in future while granting "No Objection Certificate" to the Government Servants for obtaining passport to seek employment abroad.

Yours faithfully,

(Sd.).

for Secretary to Government.

GOVERNMENT OF TAMIL NADU

ABSTRACT

PUBLIC SERVICES – Leave – Grant of Leave to Government Servants – “Leave for employment abroad” – Introduction in Fundamental Rules – orders – Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (FR.II) DEPARTMENT

G.O.Ms.No.220

Dated : 12.8.1994

Read :

G.O.ms.No.189, Personnel and Administrative Reforms, Dated 23.2.80.
G.O.ms.No.196, Personnel and Administrative Reforms, Dated 20.5.91.

....

ORDER:

In the Government Order first read above, the Government have directed that the Government Servants desirous of securing jobs abroad to be permitted to apply through the State Overseas Manpower Corporation and take their chance along with other members of the public and that those who intend to accept the job offers be required to resign from service or be permitted to avail themselves of the provisions of voluntary retirement.

2.In the Government Order second read above, the Government, in order to follow a uniform liberal policy, issued orders that the Government employees desirous of which they belong – Technical, Non-Technical or Clerical be permitted to apply and secure employment abroad either through the Overseas Manpower Corporation Limited, or other available sources. However, such of those scarce categories of staff/officers whose services are considered essential to this Government shall not be permitted to secure jobs abroad. The period of employment abroad shall normally be three years, which can be extended for a further period of two years.

3.The existing provision under FR.18(3) provides that if a Government Servant does not resume duty after a maximum period of Extra-ordinary Leave without Allowance for a continuous period of six months or one year, as the case may be, under sub-rules (1) and (2) of F.R.18 or otherwise than on foreign service or on account of suspension, for any period which, together with the period of leave granted to him, exceeds the limit, he shall, unless the Governor in view of the exceptional circumstances of the case otherwise determines, be removed from service. In any cases involving employment of Government employees in foreign countries, difficulties have been encountered because of non-sanction of leave for employment abroad in time. Very often these persons are selected by the Overseas Manpower Corporation Limited or other recruiting agents for gainful employment abroad for a specific period of one or two years. Thereafter, they overstay the period on employment abroad and return to India after expiry of 2 or 3 more years. Then it is discovered that their leave for the extended period was not sanctioned, whereas many of the Government Employees claim to have applied for leave. In such cases, action is taken under FR.18(3) to remove them from service. Many representations are received from such affected employees for reconsideration of the action taken against them on the plea that they have already applied for extension of Extra-ordinary leave without Allowance. Further FR.18(2) and (3) have to be relaxed in favour of those who seek employment abroad and request sanction of Extra-ordinary Leave without Allowance for the purpose for more than a year.

4. In order to avoid the administrative work in granting relaxation of FR.18(2) and (3) and to redress the grievances of those Government Employees who overstay abroad on genuine employment, the Government, after careful consideration, have decided to introduce and they accordingly hereby introduce a separate category of leave called "leave for employment abroad", subject to the following conditions, besides the norms already in existence :-

1. Leave for employment abroad may be sanctioned after verifying the genuineness of employment abroad by way of appointment order or visa, or other document;
 2. The initial period of leave for employment abroad may be limited to the initial period of employment offered by the employer abroad or in the absence of orders of appointment, such leave may be sanctioned initially for one year based on the visa obtained;
 3. After the expiry of the initial period of leave for employment abroad, the employee may seek further extension of the same leave by producing evidence that he continues/continued to be in the same job or is/was employed by another genuine employer abroad.
 4. The Government will not undertake any financial liability in respect of a person who is on leave for employment abroad in respect of such period, like leave salary, passage, medical reimbursement, etc.
 5. The period of leave for employment abroad will not count as service, nor will it be taken into account for calculation of accrued leave. It is for the employee himself to settle his terms of leave and leave salary with the employer abroad.
 6. The period of absence on leave for employment abroad would be counted as service for purposes of pension, if necessary pension contributions are paid.
 7. The employees who is sanctioned leave for employment abroad should pay the appropriate pension contribution and other contribution, if any, to the Accountant General from time to time with appropriate interest for belated payments, if any, but no leave salary contribution need be paid as no leave will accrue during the period of employment abroad.
 8. Subject to the payment of contributions as mentioned above, the period of absence on employment abroad up to a maximum period of 5 (five) years in total may be regulated as "Leave for employment abroad" without attracting the penal provision of FR.18(3).
 9. Past cases decided need not be reopened. Pending cases may, however, be decided applying the above principles.
 10. Employment with United Nations Organisations through the Government of India will not fall under the purview of leave for employment abroad.
6. Necessary amendments to FR.18(3) will be issued separately, taking out of its purview "Leave for employment abroad" by inserting the words "or on account of leave for employment abroad" after the expression "or remain absent from duty after the expiry of his leave otherwise than on foreign service or on account of suspension" in the rule FR.18(1) and (2) will also be amended suitably.

(BY ORDER OF THE GOVERNOR)

M.AHMED
SECRETARY TO GOVERNMENT