

5. CONDUCT RULES

5.9 Passport - Issue of 'No Objection Certificate' to obtain or renewal of passport and for undertaking trip to foreign countries – Consolidated instructions

Personnel and Administrative Reforms (A) Department

Letter No. 13676/A/ 98-9, Dated: 7.1.2000

From

TMT.SHEELA BALAKRISHNAN, I.A.S.,
Secretary to Government

To

All Departments

Sir,

Sub : Tamil Nadu Government Servants' Conduct Rules, 1973- Issue of 'No Objection Certificate' to obtain or renewal of passport and for undertaking trip to foreign countries – Consolidated instructions- Issued.

- Ref : 1. G.O. (Ms) No. 1288, Finance (F.R)Department, dated 28.12.76.
2. Govt. letter No. 70790/A/85-3, P & AR., dated 14.10.85.
3. Govt. letter No. 42138/93-2, Personnel and Administrative Reforms (A) Department, dated 5.7.93.
4. G.O. (Ms) No.230, Commercial Taxes and Religious Endowment Department, dated 22.7.94.
5. Govt. letter No.80097/A/94-10, P & AR., dated 30.1.96.
6. Govt. letter No.1410/A/96-1, P & AR., dated 19.2.96.
7. Govt. letter No.1410/A/96-2, P & AR., dated 14.3.96.
8. Govt. letter No. 63616/A/ 94-13, P & AR., dated 5.2.96.
9. G.O. (Ms) No.288, Personnel and Administrative Reforms (A) Department, dated 4/12/97.
10. G.O. (Ms) No.146, Personnel and Administrative Reforms (A) Department, dated 19/6/98.
11. G.O. (Ms) No.93, Backward Classes and Most Backward Classes Welfare Department, dated 4.9.1998.

Under rule 24-A of the Tamil Nadu Government Servants' Conduct Rules, 1973, 'No Objection Certificate' is granted to Government Servants to apply for grant or renewal of passport or for undertaking trip to foreign countries.

2. Subsequently, several instructions have been issued from time to time. For the sake of convenience, all the instruction, for the grant of 'No Objection Certificate' to obtain or renewal of passport or to undertake trip abroad have been consolidated.

3. I am directed to request you to follow the guidelines and format annexed to this letter scrupulously.

SECRETARY TO GOVERNMENT

ANNEXURE-1**Guidelines for issue of 'No Objection Certificate for obtaining passport by Group 'B' 'C' and 'D'**

It should be ensured that:-

- i) no disciplinary proceedings are pending or contemplated against the individual under rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules:
- ii) no vigilance case is pending or contemplated against the individual:
- iii) there are no grounds to believe that the applicant could figure adversely on the security records of the Government : and
- iv) the decision for the grant of 'No Objection Certificate' should be taken by the Heads of Department himself/herself. The 'No Objection Certificate' should also be signed by him/her.

(Govt. letter No.70790/A/85-3, Personnel and Administrative Reforms (per.A) Department, dated 14/10/85)

(Govt. letter No.80097/A/94-10, Personnel and Administrative Reforms (A) Department, dated 30/1/96)

(G.O. Ms. No.288, Personnel and Administrative Reforms (A) Department, dated 4/12/97)

ANNEXURE-II**Guidelines for issue of 'No Objection Certificate' to undertake trip to abroad**

It should be ensured that:-

- i) no disciplinary proceedings are pending or contemplated against the individual under rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules:
- ii) no vigilance case is pending or contemplated against the individual:
- iii) there are no grounds to believe that the applicant could figure adversely on the security records of the Government; and
- iv) the administrative department shall obtain orders of Hon'ble Chief Minister in the cases of Heads of Department undertaking foreign trip. However, for the Government servants working in the departments under the control of the Chief Minister/ Ministers/ orders in circulation from the Hon'ble Chief Minister/ Ministers concerned should be obtained as the case may be. Orders at the level of the Secretary to Government can be issued only if the Chief Minister / Minister concerned has delegated such powers to the Seceretary to Government by means of standing orders under the Business Rules.

(Govt. letter No.70790/A/85-3, Personnel and Administrative Reforms (per.A) Department, dated 14/10/85)

(Govt. letter No.80097/A/94-10, Personnel and Administrative Reforms (A) Department, dated 30/1/96)

(Govt. letter No.63616/ A/94-13, Personnel and Administrative Reforms (A) Department, dated 5/2/96)

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ANNEXURE-III

Guidelines for issue of 'No Objection Certificate' to take up employment abroad.

1. Government employees desirous of seeking jobs abroad, irrespective of categories to 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.
2. The period of employment abroad shall normally be 3 years, which can be extended for a further period of two years.
3. The period of absence during employment abroad will be treated as leave for employment abroad without pay and allowances but such period of absence will not be construed as a break in service. It will not be counted for service benefits such as increment, pay, leave etc. However, if contribution towards pension is paid by the foreign employer or employee such periods will count for pension.
4. On return from abroad such officials shall not claim any preference over others in their parent departments for promotion or higher pay by virtue of the experience gained in foreign employment nor shall they claim exemption from working experience or other qualifications required under the rules.

While issuing the 'No Objection Certificate' expeditiously on the basis of selection report of the Overseas Manpower Corporation Limited or other sources the administrative departments of Secretariat should ensure the following:-

- i) No enquiry or investigation is pending or is contemplated in the Directorate of Vigilance and Anti- Corruption against the government employee:
- ii) Nothing adverse against the Government employee in the records of Special Branch, C.I.D.(Security), Chennai.
- iii) No disciplinary case is pending or contemplated against the Government servant:
- iv) No Prosecution is pending or contemplated in a Court of Law against the Government servant:
- v) The Government employees should not have any subsisting contractual obligation to serve the Government for a specified period.
- vi) No Government dues are pending recovery from the Government servant:
- vii) The Government servant is eligible for sanction of leave for employment abroad without pay and allowance for the period applied for, restricted to five years.

(G.O. (Ms) No. 196, Personnel and Administrative Reforms (F.R.II) Department , dated 20.5.91)

(Govt. letter No. 93945/91-2, Personnel and Administrative Reforms (F.R.II) Department, dated 24.3.92)

(G.O. (Ms) No. 220, Personnel and Administrative Reforms (F.R.II) Department, dated 12.8.94)

ANNEXURE – IV

Application for No Objection Certificate for Applying a Passport / for Renewal / to undertake Foreign Trip

(To be filled by the applicant)

- 1. Name, designation, office :
Address and scale of pay (If selection grade, or Spl. Grade indicate respective Ordinary grade scale of pay).
- 2. Date of Retirement :
- 3. Name of 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 honour and dignity of our Nation and will not indulge in any act prejudicial to the integrity and sovereignty of our Country during my travel and stay abroad.

SIGNATURE OF THE APPLICANT

(TO BE FILLED BY THE HEADS OF THE DEPARTMENT)

- 7. Are the particulars furnished by the applicant correct as per information available with the department? :
- 8. Whether any Government dues are pending recovery if so, the details there of :
- 9. Whether any disciplinary action pending under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules. :
- 10. Whether a certificate has been obtained from Special Branch C.I.D.(Security) :

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that the applicant does not figure adversely on the security records of the Government.

11. Whether any corruption charges or Vigilance enquiry is pending against the Applicant. :
12. Is there any contractual obligation to be discharged by the Applicant (Applicable in case of travel for employment only) :
13. Recommendation of the Heads of the Department :

SIGNATURE OF THE HEADS OF OFFICE (for passport for Group 'B', 'C' & 'D')

SIGNATURE OF THE HEADS OF DEPARTMENT (for passport for 'A' group and for trips for group 'A', 'B', 'C' and 'D')

(Govt. letter No.1410/A/96-1, Personnel and Administrative Reforms (A) Department, dated 19.2.96).

(Govt. letter No.1410/A/96-2, Personnel and Administrative Reforms (A) Department, dated 14.3.96).

ANNEXURE – V

(TO WHOM IT SHOULD BE APPLIED)

Sl.No.	Group	Purpose	Authority granting 'No objection Certificate'
1.	'B', 'C' & 'D'	Passport	Heads of Departments
2.	'A'	Passport	Government (Administrative Department in the Secretariat).
3.	'A', 'B','C' & 'D'	Undertaking trip and for sanction of leave	Government (Administrative Department in the Secretariat).

(G.O. (Ms) No.288, Personnel and Administrative Reforms (A) Department, dated 4.12.97)

(G.O. (Ms) No.1288, Finance (F.R) Department, dated 28.12.76)

FOOT NOTE:

The Hajj Pilgrims who are undertaking trip through State Hajj Committee on Pilgrim Pass are exempted from obtaining International Passport and 'No objection Certificate' to undertake pilgrimage to Hajj. The Leave Sanctioning Authority is empowered to sanction leave and grant permission to undertake trip based on the "Pilgrim Pass" issued by the Tamil Nadu State Hajj Committee.

(G.O. (Ms) No.230, Commercial Taxes and Religious Endowment Department, dated 22.7.94)

(G.O. (Ms) No.93, Backward Classes and Most Backward Classes Welfare Department, dated 4.9.98)