

	BHARAT SANCHAR NIGAM LIMITED (A Government of India Enterprise) CORPORATE OFFICE SEA Section, EF Branch 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi-10001
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BSNLCO-PRII/11(24)/16/2020-PERS-II

Dated: 15.05.2023

To

The Chief General Manager
Bharat Sanchar Nigam Limited,
Punjab Telecom Circle,
Chandigarh

Sub: Clarification sought by Punjab Telecom Circle regarding proportionate Bond payment for the remaining period of Bond and transfer of bond to other Public Enterprise in respect of Shri N. N. Meena, Junior Accounts Officer who executed Bond Agreement with BSNL at his time of joining- reg.

Ref. - Your office letter no. PBCO-COMN/11(21)/17/2021-Finance/325 dated 15.02.2023

Kindly refer to your office letter dated 15.02.2023 on the above cited subject seeking clarification was sought from this office regarding proportionate bond amount & transfer of bond as detailed in points 1 & 2 of para 1 of your office letter dated 15.02.2023.

2. In this regard, it is intimated that guidelines of DPE OM no.15(2)/2003-DPE(GM)/GL-57 dated 29.07.2004 endorsed by Establishment Branch of BSNL CO vide letter no. 250-12/2013-Pers-III dated 29.07.2015 shall be applicable in the instant case of Shri N. N. Meena, JAO.

3. Further, the guidelines stipulated in DPE OM dated 29.07.2004 & endorsed by Establishment Branch vide letter no. 250-12/2013-Pers-III dated 29.07.2015 has specified the following actions to be taken by the Public Enterprise forwarding the case of employees who are under bond obligation and **apply through proper channel and with proper permission** to take up employment in other Central Government/State Government Services or take up employment under quasi-government organizations or any other public enterprise:

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4. The Public Enterprise, while forwarding the application should, at the time of forwarding such application, write to the organization applied to by the employee, 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. The Public Enterprise should further state that in case the employee 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 realized from the individual and refunded to the organization with whom he originally executed the bond.

This issues with the approval of the Competent Authority.

Encls: As above

Mallika Murali
15/05/2023
(Mallika Murali)
Asstt. General Manager (SEA)

Copy to:

All Heads of Circles for strict compliance of the instructions outlined in DPE OM dated 29.07.2004 regarding transfer of bond.



भारत संचार निगम लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT SANCHAR NIGAM LIMITED

A Govt. of India Enterprise

No. 250-12/2013-Pers-III

Dated: 29.07.2015

To

All Heads of the Telecom Circles,
Bharat Sanchar Nigam Limited,

Sub: Enforcement/transfer of Bond Agreement---Clarification regarding.

Some Circles have sought clarification from this office whether the DPE OM No. 15(2)/2003-DPE(GM)/GL-58 dated 29.7.2004 regarding enforcement/transfer of Bond in respect of employees of Public Enterprises circulated and endorsed vide BSNL CO letter No. 5-31/2001/Pers.-IV(Pt) dated 9.12.2005 is applicable for GE-JTO cadre only in BSNL or applicable to all other cadres.

In this regard, it is hereby clarified that the instructions of DPE on the aforesaid subject duly endorsed by this office are applicable for all cadres. This may please be noted for guidance and strict compliance.

(Zanal Zachariah)

Asstt, General Manager (Estt-III)

Tel: 23310401 Fax: 23725255

Copy to:-

1. Chief General manager, BSNL, H.P. Telecom Circle, Shimla w.r.t. letter No. Staff/S-751/VII/216 date Nil.
2. INTRANET-BSNL

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No. 15(2)/2003-DPE(GM)/GL-57
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Block No. 14, CGO Complex,
Lodi Road, New Delhi-110003

Dated the 29th July, 2004

OFFICE MEMORANDUM

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

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The undersigned is directed to refer to this Department's OMs No. BPE/GL-01777/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 Deptt'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/test/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 employe has

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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.

(G.S. BOTHYAL)
DIRECTOR
Tel: 24360218

All administrative Ministries/Departments

Copy to: Chief Executives of all CPSEs.

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