

RTI Reference No. DPENT/R/2014/60466 dated 23.11.2014**From:** sntewari.hal@gmail.com

S. No.	Information Sought	Reply
1-5	<p>1. Whether Office memorandum issues by Ministry of Personnel, Public Grievances and Pension regrading Consolidated instructions on Forwarding of application of Government Servants for outside employment via No. 28011/1/2013- Esst(C) Dated: 23.12.2013 is also applicable to all PSUs of india under Department of Public Enterprises</p> <p>2. Whether the above office memorandum was forwarded by DPE to all PSUs If so then please inform the date</p> <p>3. Whether DPE ensured from all PSUs followed the above office memorandum and all the instructions of office memorandum applied in the service conditions of the Government servant if so then please tell the date.</p> <p>4. Whether prospects of bright candidates on open selection should invariably depend on forwarding of applications by the present employer (PSU) to another Undertaking / Govt. Organisation. By not issuing NOC PSUs are not creating a hurdle in the growth of India as bright mind will never reach on top at early age of the career.</p> <p>5. Non-forwarding such employment application or non-issue of NOC or imposing such conditions of forwarding applications Through proper Channel on employees of CPSU may also amount to violation of Human Rights as it is affecting the Rights relating to Life, Liberty, Equality and Dignity of the individual guaranteed by the Constitution as per the provisions under Section 2(1)(d) of the Protection of Human Rights Act, 1993. Imposing such conditions is also causing a perennial mental agony in the minds of CPSU employees. Non-forwarding of applications may be treated violation of Article 21 and also Article 23 by treating such acts as Forced Labour on the reason that such acts are inhibiting mobility of Govt. Employees amongst Govt. Depts. / PSUs. In fact, Fundamental Rights cannot even be waived by any individual. What are the steps taken by DPE against PSUs who have implemented the forced labour by not giving the NOC to bright candidates.</p>	<p>There is no Central Public Sector Enterprises (CPSEs) under the administrative control of Department of Public Enterprises.</p> <p>All the rules and regulations formulated by Ministry of Personnel, Public Grievances and Pensions (DoPT) regarding recruitment is not applicable to the CPSEs.</p> <p>Further DPE has not issued any guideline to CPSEs regarding NOC and forwarding of applications of employees in other organizations applying for the posts below Board level. These matters are dealt as per the HR policy / recruitment rules of CPSE concerned.</p>