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Kannan Gopinathan's stalled resignation from the IAS: What the rules say

Gopinathan resigned from service in 2019 but the government has still not accepted his resignation. As long as an officer is part of the service, they cannot contest elections and or even join a political outfit.

Written by: [Shyam Lal Yadav](#) 9 min read New Delhi Updated: Mar 30, 2026 06:58 AM IST



Kannan Gopinathan joined the Congress in October last year. X/Kannan Gopinathan

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Kannan Gopinathan, a 2012-batch Indian Administrative Services (IAS) officer who resigned from the service in 2019 over the “denial of freedom of expression” to the people of Kashmir, has accused the Union government of stonewalling his resignation for more than six years.

This delay, he said on Wednesday (March 25), has prevented him from [contesting the forthcoming Kerala Assembly elections](#) as a Congress candidate.

Government sources say that the final recommendation on Gopinath's resignation is yet to be sent to the Department of Personnel and Training (DoPT), the cadre-controlling authority for the IAS. This means the resignation still remains pending before the Ministry of Home Affairs. Sources also say there is no precedent for such a delay in acceptance of resignation.

What happens when an IAS officer resigns? How long does the government usually take to accept such resignations? And when can it reject resignations? Here is what the rules say.

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What are the rules around IAS officers and political activity?

Gopinathan quit the IAS in August 2019 to protest the restrictions imposed in [Jammu & Kashmir](#) following the abrogation of Article 370. He joined the Congress in October last year and was reportedly being considered as a candidate for the Palakkad Assembly seat.

But the conduct rules bar serving government servants from being associated with any political party or organisation, and from taking part in or assisting any political

activity. Gopinathan's status as a serving government officer remains in limbo.

An amendment on November 27, 2014 added a few clauses to The All India Services (Conduct) Rules. Rule 3(1) reads: "Every government employee shall at all times maintain political neutrality and commit himself to and uphold the supremacy of the Constitution and democratic values."

On Wednesday, he posted on X addressing Prime Minister Narendra Modi and calling the situation "pure harassment". The Prime Minister is the minister in charge of the DoPT.

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Gopinathan said: "Blocking my right to resign and take part in the democratic process is pathetic and petty, whatever my political position is. Stop this pettiness and direct your lethargic government to process my resignation immediately."

What is the resignation process for IAS officers?

The resignation of an officer of any of the three All-India Services — the IAS, the Indian Police Service (IPS) and the Indian Forest Service — is governed by Rules 5(1) and 5(1)(A) of the All India Services (Death-cum-Retirement Benefits) Rules, 1958. There are similar resignation rules for officers belonging to the other central services as well.

An officer serving in a cadre (cadre refers to a state or group of states or Union Territories to which they are assigned) must submit their resignation to the Chief Secretary of the state.

Officers on central deputation from a cadre are required to submit their resignation to the secretary of the ministry or department concerned. The ministry or department then forwards the officer's resignation to the state cadre concerned, along with its comments or recommendations. Cases of AGMUT (Arunachal Pradesh-Goa-Mizoram and Union Territories) officers are routed through the Union Ministry of Home Affairs. Gopinathan was from the AGMUT cadre.

Rule 5 of the DCRB Rules says: "No retirement benefits may be granted to a person who has been dismissed or removed from the Service or who has resigned from the

Service.” DoPT guidelines say a resignation has to be clear and unconditional.

What happens next?

First, the state checks if the officer faces any pending dues, cases or inquiries (such as corruption). In such a case, the resignation is normally rejected.

The state then provides details on outstanding dues and vigilance status, along with its recommendation, to the Union government. It forwards the resignation to the Union government.

In the case of IAS officers, the authority that can consider the resignation is the Minister of the DoPT — in other words, the Prime Minister, who is the cabinet minister for the DoPT.

For the IPS, the competent authority is the Minister for Home Affairs, while for the Indian Forest Service, it is the Minister for Environment, Forest and Climate Change.

Can the government sit on IAS resignations?

There is no prescribed time limit for the government to accept a resignation by an IAS officer. However, a DoPT circular issued on February 15, 1988 says it is not in the interest of the government to retain an officer who is unwilling to serve. The general rule, therefore, is that the resignation of an officer should be accepted — except in certain circumstances.

A circular of DoPT issued in 1988, says: “Where a Government servant who is under suspension submits a resignation the competent authority should examine, with reference to the merit of the disciplinary case pending against the Government servant, whether it would be in the public interest to accept the resignation.”

In some cases, resignations have been rejected because disciplinary cases were pending against officers. In such cases, the concurrence of the Central Vigilance Commission (CVC) is obtained.

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The government also checks whether the officer had executed any bond to serve the government for a specified number of years on account of having received

specialised training, fellowships or scholarships for studies.

For instance, [Arvind Kejriwal](#) resigned from the Indian Revenue Service (IRS) in 2006. Years later, however, when he was part of the India Against Corruption movement, it surfaced that he had executed a bond to serve the government when he was sent for a fellowship. The Income Tax Department slapped a notice on him for violating the terms of his IRS service and fined him around Rs 9 lakh.

The DoPT circular says: “Where the Government servant concerned is engaged on work of importance and it would take time to make alternative arrangements for filling the post, the resignation should not be accepted straightway but only when alternative arrangements for filling the post have been made.”

What happened when Kannan Gopinathan resigned?

Gopinathan [resigned in August 2019](#). On September 26, however, he was posted as a secretary in the Power Development Department of the Union Territory of Dadra and Nagar Haveli, according to his Executive Record Sheet. The latest available Civil List of IAS officers also retains his name.

Two months after Gopinathan quit, the Union Home Ministry issued a memorandum for a departmental inquiry against him. Later, he was served a chargesheet for violation of conduct rules with allegations such as unauthorised communication with media.

And in April 2020, [an FIR was filed against him](#) as he declined to return to government service during the [Covid-19](#) pandemic, despite being told to by the government as his resignation had not been accepted. This FIR cited alleged disobedience under provisions of Section 188 of the IPC, the Epidemic Diseases Act, and the Disaster Management Act.

How many IAS officers have resigned in the past?

A total of 31 IAS officers have resigned from the service since 2010, the year the Civil Services Aptitude Test (CSAT) replaced the Prelims in UPSC civil service exams, shows RTI data received by The [Indian Express](#) this month from the DoPT.

While 11 IAS officers resigned between 2010 and 2014 (during the UPA government), 20 officers resigned between 2015 and May 2025 (during NDA government), the DoPT shows.

In 2019, another AGMUT-cadre officer, Kashish Mittal, had resigned after being transferred from [Delhi](#) to Arunachal Pradesh. Mittal was relieved in 2019 itself.

In 2018, O P Chowdhary from the Chhattisgarh cadre resigned. He later joined the BJP and now serves as Minister of Finance in the state.

Others include Union Minister Ashwini Vaishnaw, who quit in 2011 from the Odisha cadre to start his own business and later joined the BJP. Since the CSAT was introduced, a majority of the selected candidates have been technocrats. Many may have chosen to resign for better opportunities in the private sector, even joined politics.

Can IAS officers withdraw their resignation?

Gopinathan was not the only IAS officer to resign over the Kashmir issue in 2019. The 2010-batch officer Shah Faesal, too, had resigned in January of that year citing “unabated killings” in Kashmir.

Faesal, however, withdrew his resignation and returned to the IAS in 2022 after a failed political stint.

Rule 5(1A)(i) of the amended DCRB Rules says the Union government may permit an officer to withdraw his/her resignation “in the public interest”.

An amendment in the Rules in 2011 states that the gap between the effective date of resignation and date of resumption of duty in such cases can be a maximum of 90 days. The amended DCRB Rules also say that the government shall not accept a withdrawal after an officer resigns with a view to begin political activities.

But both these rules do not apply in Faesal's case — because his resignation, too, was not processed for years.

In his case, the rule that applies is that if an officer withdraws their resignation in writing before its acceptance, the resignation will be deemed to have been automatically withdrawn.

While Faesal is back in government service, Gopinathan's case has gone the opposite direction. He has termed the government's delay in accepting his resignation as “harassment”.

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