

Eastern Railway
(Personnel Department)
17 N. S. Road, Kolkata - 700 001

Serial Circular No. 56/2024

No. E.296/0/1/Pt. IV

Kolkata, Dated: 04/06/2024

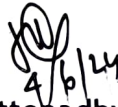
All Concerned

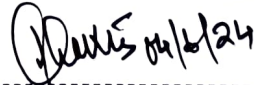
(as per standard list)

Sub: Deputation of Group 'A' officers of Central Government to State Government/UTs Modification of guidelines-Regarding.

A copy of Ministry of Railways (Railway Board) letter no. 2024/F(E)II/1(1)/1, dated 29/05/2024 (RBE No.48/2024) is circulated herewith along with its enclosures containing DoP&T's O.M. dated 08/09/2022, 29/02/2008 and 15/03/2024 for information, guidance and further necessary action. Board's earlier letter dated 28/07/2010 (RBE No.106/2010) mentioned therein was circulated under this office serial no. 05/2013.

DA: As above.


(S.K.Chattopadhyay)
Sr. Personnel Officer/Admin.
For Pr. Chief Personnel Officer
Phone No. 24122 (Rly.)
Email ID: sandip.chattopadhyay@gov.in



Index No. 1032: Modification of Para- 1.3 of DoP&T's Office Memorandum (OM) dated 29/02/2008 in respect of tenure and procedure of appointment on deputation/Foreign Service of members of organized Group A and Group B service of the Central Government.

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

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RBE No. 48/2024
New Delhi, dt. 29.05.2024

F.No.2024/F(E)II/1(1)/1

The General Managers/Pr. Financial Advisors,
All Indian Railways & Production Units incl. RDSO,
(As per Standard Mailing List)

Sub: - Deputation of Group 'A' officers of Central Government to State Government /UTs
Modification of guidelines-Regarding.

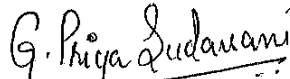
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Consolidated guidelines on 'Deputation' have been issued by DOP&T vide their O.M. No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010 which have been adopted/circulated on the Railways vide Board's letter No.2010/F(E)II/I(1)/1 dated 28.07.2010. These guidelines of DOP&T have been amended from time to time and also adopted/circulated to all Railways accordingly. These instructions have been consolidated by DOP&T vide compendium dated 08.09.2022 (enclosed).

2. Now, DOP&T have issued instructions vide their O.M. No. 6/8/2023-Pers. Policy (Deputation/Re-employment)Pt.XV dated 15.03.2024 regarding deputation of Group 'A' officers of the Central Govt. to ex-cadre posts under a State Govt./UT Administration including PSUs/ABs/Statutory Bodies/Universities/Local Bodies under the States/UT Administration. Attention has also been drawn by DOP&T in the said OM to para-1.3 of DOP&T's OM No. AB/14017/2/2007-Estt(RR) dated 29.02.2008 (enclosed) indicating the provisions of regulating tenure and procedure of appointment on deputation/foreign service of members of organized Group A and Group B service of the Central Government. Provisions contained in Para-1.3 of DOP&T's OM dated 29.02.2008 have been modified by DOP&T vide OM dated 15.03.2024 to the extent they govern the deputation of Group 'A' officers of Central Government to ex-cadre posts under a State Govt./Union Territories including PSUs/ABs/Statutory Bodies/Universities/Local Bodies under the States/UT Administration. All other instructions/guidelines consolidated vide DOP&T's OM dated 08.09.2022 and OM dated 29.02.2008 shall remain unaltered.

3. The DOP&T's O.M. No. 6/8/2023-Pers. Policy (Deputation/Re-employment)Pt.XV dated 15.03.2024 (enclosed) shall apply mutatis-mutandis to Railway employees also.

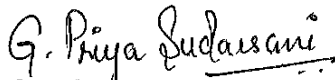
4. Please acknowledge receipt.


(G. Priya Sudarsani)
Director, Finance (Estt.)
Railway Board

F.No.2024/F(E)II/1(1)/1

New Delhi, dt. 29.05.2024

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.222, Rail Bhavan, New Delhi.


For Member (Finance), Railway Board.

F.No.2024/F(E)II/1(1)/1

New Delhi, dt. 29.05.2024

Copy forwarded to Principal Financial Adviser, All Indian Railways and Production Units etc.

भारत सरकार/Government of India
रेल मंत्रालय/Ministry of Railways
(रेलवे बोर्ड/Railway Board)

आरबीई सं. ५४/२०२५
नई दिल्ली, दिनांक २९.०५.२०२४

एफ.नं. 2024/एफ(ई)III/1(1)/1

महाप्रबंधक/प्रधान वित्त सलाहकार,
सभी भारतीय रेलें तथा अमासं. सहित उत्पादन इकाइयां,
(मानक डाक सूची के अनुसार)

विषय: केंद्र सरकार के समूह 'क' अधिकारियों की राज्य सरकार/संघ शासित प्रदेश क्षेत्र में प्रतिनियुक्ति- दिशानिर्देशों में आशोधन संबंधी।

कार्मिक एवं प्रशिक्षण विभाग द्वारा दिनांक 17.06.2010 के कार्यालय ज्ञापन सं. 6/8/2009-एस्ट. (पे-II) के तहत प्रतिनियुक्ति पर समेकित दिशानिर्देश जारी किए गए हैं जिसे बोर्ड के दिनांक 28.07.2010 के पत्र सं. 2010/एफ(ई)III/1(1)/1 के तहत रेलों में अपनाया/परिपत्रित किया गया था। कार्मिक एवं प्रशिक्षण विभाग के इन दिशानिर्देशों को समय-समय पर संशोधित किया गया तथा तदनुसार, सभी रेलों में भी अपनाया/परिपत्रित किया गया है। इन अनुदेशों को कार्मिक एवं प्रशिक्षण विभाग द्वारा दिनांक 08.09.2022 के सार-संग्रह (संलग्न) के तहत समेकित किया गया है।

2. अब, कार्मिक एवं प्रशिक्षण विभाग ने अपने दिनांक 15.03.2024 के कार्यालय ज्ञापन सं. 6/8/2023-पर्स.पॉलिसी (डेपुटेशन/री-इम्प्लॉयमेंट) पार्ट XV के तहत केंद्र सरकार के समूह 'क' के अधिकारियों की राज्य सरकार/संघ शासित प्रदेश प्रशासन के अंतर्गत आने वाले सार्वजनिक क्षेत्र उपक्रमों/स्वायत्त निकायों/सांविधिक निकायों/विश्वविद्यालयों/स्थानीय निकायों सहित राज्य सरकार/संघ शासित प्रदेश प्रशासन के अंतर्गत आने वाले बाह्य-संवर्ग पदों पर प्रतिनियुक्ति संबंधी अनुदेश जारी किए हैं। कार्मिक एवं प्रशिक्षण विभाग द्वारा उक्त ज्ञापन में कार्मिक एवं प्रशिक्षण विभाग के दिनांक 29.02.2008 के कार्यालय ज्ञापन सं. एबी/14017/2/2007-एस्ट(आरआर) (संलग्न) के पैरा 1.3 की ओर भी ध्यान आकृष्ट करवाया गया है जिसमें केंद्र सरकार की संगठित समूह 'क' तथा समूह 'ख' सेवा के सदस्यों की प्रतिनियुक्ति/विदेश सेवा पर नियुक्ति की अवधि को विनियमित करने तथा प्रक्रिया संबंधी प्रावधान उल्लिखित हैं। कार्मिक एवं प्रशिक्षण विभाग के दिनांक 29.02.2008 के कार्यालय ज्ञापन के पैरा 1.3 में उल्लिखित प्रावधानों को कार्मिक एवं प्रशिक्षण विभाग द्वारा दिनांक 15.03.2024 के कार्यालय ज्ञापन के तहत उस सीमा तक आशोधित किया गया है कि वे केंद्र सरकार के समूह 'क' के अधिकारियों की राज्य सरकार/संघ शासित प्रदेश प्रशासन के अंतर्गत आने वाले सार्वजनिक क्षेत्र उपक्रमों/स्वायत्त निकायों/सांविधिक निकायों/विश्वविद्यालयों/स्थानीय निकायों सहित राज्य सरकार/संघ शासित प्रदेश प्रशासन के अंतर्गत आने वाले बाह्य-संवर्ग पदों पर प्रतिनियुक्ति को शासित करते हैं। कार्मिक एवं प्रशिक्षण विभाग के दिनांक 08.09.2022 तथा दिनांक 29.02.2008 के कार्यालय ज्ञापनों के तहत समेकित अन्य सभी अनुदेश/दिशानिर्देश अपरिवर्तित रहेंगे।

3. कार्मिक एवं प्रशिक्षण विभाग का दिनांक 15.03.2024 का कार्यालय ज्ञापन सं. 6/8/2023-पर्स.पॉलिसी (डेपुटेशन/री-इम्प्लॉयमेंट) पार्ट XV (संलग्न) यथावश्यक परिवर्तनों के साथ रेल कर्मचारियों पर भी लागू होगा।

4. कृपया पावती दें।

जी. प्रिया सुदर्सनी

(जी. प्रिया सुदर्सनी)

निदेशक, वित्त (स्थापना)

रेलवे बोर्ड

एफ.नं. 2024/एफ(ई)III/1(1)/1

नई दिल्ली, दिनांक २९.०५.२०२४

प्रतिलिपि भारत के उप नियंत्रक एवं महालेखापरीक्षक (रेलवे), कमरा नं.222, रेल भवन, नई दिल्ली को प्रेषित।

जी. प्रिया सुदर्सनी

कृते सदस्य वित्त रेलवे

नई दिल्ली, दिनांक २९.०५.२०२४

एफ.नं. 2024/एफ(ई)III/1(1)/1

प्रतिलिपि अग्रोषित - प्रधान वित्त सलाहकार, सभी क्षेत्रीय रेलें एवं उत्पादन इकाइयां आदि।

F.No.2024/T(E)II/1(1)/1

New Delhi, dt.29.05.2024

1. The G.M, N.F Railway(Const.), Southern Railway (Const.) and Central Railway (Const.)
2. PFA, N.F. Railway (Const.), Central Railway (Const.) and Southern Railway (Const.)
3. The Director General and Ex-officio General Manager, RDSO/ Lucknow.
4. The General Manager and PFA, Metro Railway/Kolkata.
5. The CAO and PFA, COFMOW/New Delhi.
6. The General Manager and PFA, CORE/Allahabad.
7. The Director General, Railway Staff College/Vadodara.
8. The CAO(Const.), MTP (R) / Mumbai.
9. The CAO(Const.), MTP(R) /Chennai.
10. The Executive Director, CAMTECH/Gwalior-474020.
11. The Chairman, RCT/Principal Bench, 13/15, Mall Road, Delhi.
12. The Chairman, RRT, Chennai - 600008.
13. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/Secunderabad.
14. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited; Executive Director, CRIS.
15. The Chairman -cum-Managing Director, KRC Limited, Rail Bhavan, New Delhi, Office of the Chief Project Administrator (Telecom), Indian Railway Central Organisation for Telecom (IRCOT) Consultancy, Shivaji Bridge/ New Delhi.
16. The Director(Movement) Railways/Kolkata.
17. The Joint Director, Mil Rail, Ministry of Defence.
18. The Joint Secretary, Iron & Steel, 3 Koilaghat Street/Kolkata.
19. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar.
20. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
21. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
22. The Pay & Accounts Officer, Ministry of Railways(Railway Board).
23. The General Secretary, IRCA/New Delhi.
24. The Chief Commissioner of Railway Safety/Lucknow.
25. The Editor, " Bharatiya Rail".
26. The Editor " Indian Railways".
27. Chairman, RITES.
28. Chairman, CAT.
29. Computerised Facilitation Counter, Room No.5, Near Gate No.1, Rail Bhavan, New Delhi.
30. The Managing Director, Rail Vikas Nigam Ltd., Plot No. 25, First Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi- 110 066.
31. CAO(C), SEC Railway, Bilaspur-495004.
32. The CAO, RCF, Raebareli Project, Kishanganj, Delhi-7.
33. The Executive Director/ERP, Railway Board, Room No. 339A, Pragati Maidan Metro Station Building Complex, New Delhi.

Copy forwarded to:

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhavan, New Delhi.
2. The General Secretary, AIRF, Room No. 253, Rail Bhavan, New Delhi.
3. The Members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, FerozeShah Road, New Delhi.

For Principal Executive Director (IR) /Railway Board.

Contd/....4

F.No.2024/F(E)II/1(1)/1

New Delhi, dt.29.05.2024

1. The Secretary General, FROA, Room No. 256-A, Rail Bhavan, New Delhi.
2. The Secretary, RBSS, Group 'A' Officers Association, Rail Bhavan, New Delhi.
3. The President, Railway Board Class-II Officers' Association, Rail Bhavan, New Delhi.
4. The Secretary General, IRPOF, Room No. 268, Rail Bhavan.
5. The President, Indian Railway Class II Officers' Association, Rail Nilayam, Secunderabad.
6. General Secretary, Indian Railway Class II Officers Federation, Office of CE(Const.), N.E.Railway, Gorakhpur.
7. The Secretary, Railway Board Ministerial Staff Association, Rail Bhavan, New Delhi.
8. The Secretary, Railway Board Class IV Staff Association, Rail Bhavan, New Delhi.
9. The General Secretary, All India RPF Association, Rail Bhavan, New Delhi.
10. The General Secretary, All India SC/ST Railway Employees Association, Room No.8, Rail Bhavan, New Delhi – 110001.

Copy to:- Advisor/MR, OSD/MR, OSD/Co-ord/MR, Additional PS/MR, Sr.PPSs/PPSs/PSs to: Chairman & CEO, Railway Board, Member (Finance) Railway Board, Member Operation & Business Development (O&BD), Member Traction and Rolling Stock, Member Infra, DG(HR), DG(RHS), DG(RPF), All AMs/ PEDs/ EDs/ Directors, IG/RPF, IG/RPSF, JS, JS(G), JS(E), JS(P), JDE(N), JDE(P&A), JDE(L), JDE(W), DS(G), DDF(E)I, DDF(E)III, DDE(LR)I, DDE(LR)-II, DDE(Rep), US(Protocol) and DDE(R)II.

Copy to: Cash-I, II & III, E(P&A)I & II, E(G), Budget, PG, PC-IV, V, & PC VI, G(Acc.), F(E)I, F(E)III & F(E)Spl., O&M, E(Trg.), E(GR)I, E(GR)II, Sec.(E), Sec.(Spl.), Protocol Cell, ERB-I, II, III, IV, E(O)I, II, III, E(GP), E(GC), Accounts-III, Code Revision Cell, E(Rep) & C&IS Branches, Railway Board.

No.DOPT-1667555503571
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Pay-II)

(Dated 08 September, 2022)

OFFICE MEMORANDUM

Regulation of Terms and Conditions Governing Deputation/ Foreign service of Employees to/from Central Government

D/o Personnel & Training (DoPT) has from time to time issued instructions / guidelines regulating pay, Deputation (Duty) Allowance, tenure of deputation/ foreign service and other terms and conditions of deputation/foreign service of the Central Government employees to ex-cadre posts under the Central/State Governments/ Union Territories (UTs) Administration/ Public Sector Undertakings (PSUs)/ Autonomous Bodies/ Statutory Bodies/ Universities/ Local Bodies etc. and vice-versa. These have been summarized in the following paras for better understanding of various provisions governing the subject.

APPLICATION

2. These provisions apply to all Central Government employees, who are regularly appointed on deputation/foreign service in accordance with the provisions of the Recruitment Rules (RRs) of the ex-cadre posts, under the same or some other Departments of Central Government or under the State Governments/ UTs Administration/Local Bodies or under Central or State PSUs/Autonomous Bodies/Statutory Bodies etc. set up or controlled by Central/State Governments provided the foreign service under such PSUs/Autonomous Bodies/Statutory Bodies has been permitted in relaxation of appointment on immediate absorption basis. They also cover the cases of regular appointment on deputation/foreign service of employees of State Government/Local Bodies etc. as well as PSUs/Autonomous Bodies/Statutory Bodies of Central/State Governments as per RR in the Central Government. In short, these instructions cover cases of deputation/foreign service where Central Government is either lending authority or borrowing authority or both.

[Para 1 of DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010 and Para 1 of DoPT's OM No. 2/9/2018-Estt.(Pay-II) dated 12.4.2021]

2.1. However, the following cases are governed by separate set of instructions / guidelines, and they are not covered by these provisions: -

- (a) Members of the All India Services and those deputed to posts, whose terms are regulated under specific statutory rules or orders;
- (b) Officers appointed on deputation to posts under the Central Staffing Scheme (CSS) for whom separate orders issued from time to time continue to apply;
- (c) Deputation to posts operated outside India;
- (d) Appointments of a specific category of employees to a specified class of posts, such as appointments made in the Personal Staff of Ministers etc., in respect of which special orders are already in existence. However, the terms and conditions contained herein will apply to those cases to the extent they are not specifically covered under such special orders.

(e) Appointments of the nature of deemed deputation or transfers to ex-cadre posts made in exigencies of service with the specific condition that no Deputation (Duty) Allowance will be admissible - e.g. (i) interim arrangements in the event of conversion of a Government office/organization or a portion thereof into a PSU/ Autonomous Body or vice-versa; and (ii) appointments to the same post in another cadre. ///

[Para 2.1 and 2.2 of DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010]

SCOPE OF THE TERM 'DEPUTATION/FOREIGN SERVICE' - RESTRICTIONS ON TREATING AN APPOINTMENT AS ON DEPUTATION/ FOREIGN SERVICE.

3.1 The terms 'Deputation'/ 'Foreign Service' will cover only those appointments that are made by transfer on a temporary basis provided the transfer is outside the normal field of deployment and is in public interest. The question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or post from which the employee is transferred.

3.2 The following types of appointments will not be treated as deputation/foreign service for the purposes of these orders:

(a) Appointment of serving employees made either by promotion or by direct recruitment from amongst open market candidates whether on permanent or temporary basis.

(b) Permanent appointment made by transfer/absorption,

(c) Temporary appointment made based on personal requests of employees,

(d) Arrangements necessitated by staff imbalances arising on reorganization of offices on the same or different stations, subject to the specific condition that no Deputation (Duty) Allowance will be admissible in such cases.

3.3 A person in a higher Level (in Pay Matrix) shall not be appointed on deputation to a post in lower Level (in Pay Matrix) if the deputation is from Central Government to Central Government and also in cases where the scale of pay and Dearness Allowance (DA) in the parent cadre post and ex-cadre post are similar.

[Para 3.1-3.3 of DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010]

3.4 However, no appointment on deputation/foreign service shall be made from/to Central Government/an organization where the scale of pay and DA pattern in the parent cadre post and ex-cadre post are dissimilar, if the basic pay in the parent cadre increased by one increment plus Dearness Allowance (s) including interim relief if any, admissible to a person in the parent cadre post exceeds the basic pay plus Dearness Allowance(s) including interim relief, if any, at the maximum of the pay Level in the Pay Matrix/pay scale of the ex-cadre post.

Note: In the revised pay structure, the maximum of the scale would mean the last cell of any Level in the Pay Matrix.

Illustration:

In case of an appointment on deputation basis, from an organization to an ex-cadre post in the Central Government in Level 7 in the Pay Matrix, where the pay scale and DA pattern of the parent cadre post and ex-cadre post in Central Government are dissimilar, no appointment can be made to such post, if the basic pay in the parent cadre increased by one increment plus Dearness Allowance (s) including Interim Relief, if any, admissible in the parent cadre post exceeds the basic pay at the

Maximum of the Level 7 of the Pay Matrix i.e. Rs. 1,42,400/- plus Dearness Allowance (s), 110 including Interim Relief, if any.

[DoPT's OM No. 2/9/2018-Estt.(Pay-II) dated 12.04.2021]

EXERCISE OF OPTION.

4.1 An employee appointed on deputation/foreign service, may elect to draw either the pay in the Level (in the Pay Matrix)/Scale of pay of deputation/foreign service post or his/her basic pay in the parent cadre plus Deputation (Duty) Allowance thereon plus Personal Pay, if any. However, in case of appointment of Government employees on deputation/ foreign service to CPSEs, this option will not be allowed, and in such cases their pay will be governed in terms of the orders issued by Department of Public Enterprises vide OM dated 26.11.2008 and clarifications issued thereafter.

4.2 The borrowing authority shall obtain the option of the employee within one month from the date of joining the ex-cadre post unless the employee has himself furnished the option.

4.3 The option once exercised shall be final.

4.4 However, the employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same:

a. When he/she receives proforma promotion or is appointed to nonfunctional selection grade or up gradation of scale in the parent cadre;

b. When he/she is reverted to a lower grade in the parent cadre;

c. When the scale of pay/level (in the Pay Matrix) of the parent cadre post based on which his emoluments are regulated during deputation/foreign service or of the ex-cadre post held by the employee on deputation/foreign service is revised either prospectively or from a retrospective date;

d. Based on the revised/same option of the employee, in the event of proforma promotion/appointment to non-functional selection grade/revision/upgradation of scales of pay/level (in the Pay Matrix) in the parent cadre, his/her pay will be re-fixed with reference to the revised entitlement of pay in the parent cadre. However, if the initial option was for the pay scale of the deputation post and no change in option already exercised is envisaged, the pay already drawn in deputation post will be protected if the pay re-fixed is less.

Note: Revision in the rates of DA, HRA or any other allowance either in the parent or borrowing organization shall not be an occasion for revision of the earlier option.

4.5. If the pay of an employee in his cadre post undergoes downward revision, the pay in the ex-cadre post is also liable to be re-fixed based on revised pay and in accordance with the revised option or existing option if the employee does not revise his option.

[Para 4 of DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010]

PAY FIXATION.

5.1 When an employee on deputation/foreign service elects to draw pay in the Level (in Pay Matrix) attached to the ex-cadre post, his/her pay may be fixed as under: -

(i) Deputation from Central Government to Central Government:

If the Level (in Pay Matrix) of the ex-cadre post is higher than that of the parent cadre post, an increment shall be given in the Level (in Pay Matrix) of parent cadre post and he/she shall be placed at a Cell equal to the figure so arrived at in the Level (in Pay Matrix) of the ex-cadre post; and if no such Cell is available in the Level (in Pay Matrix) of the ex-cadre post, he/she shall be placed at the next higher cell in that Level. However, if the cell so arrived at after adding an increment is less than the minimum of the cell in the Level (in Pay Matrix), the pay will be fixed at the minimum of the cell in the Level (in Pay Matrix).

In case Levels (in Pay matrix) of the ex-cadre post and the parent cadre post of the employee are identical, the employee would continue to draw his/her basic pay.

(ii) In case of Foreign Service/Reverse Foreign Service :

(a) When the Level (in Pay Matrix)/Pay Scale of the post in the parent cadre and that attached to ex-cadre post are based on the same index level and the DA pattern is also same, the pay may be fixed as under (i) above.

(b) If the appointment is made to a post whose pay structure and/or Dearness Allowance (DA) pattern is dissimilar to that in the parent organization, pay may be fixed by adding one increment to the basic pay of the substantive post in the parent cadre, (and if he/she was drawing pay at the maximum of the scale, by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad-hoc dearness allowance, interim relief etc., if any) with emoluments comprising of basic pay plus DA, ADA, Interim Relief etc., if any, admissible, in the borrowing organization and the pay may be fixed at the stage in the Pay Scale/ Level (in Pay Matrix) of the ex-cadre post at which total emoluments admissible in the ex-cadre post as above equal the emoluments drawn in the parent cadre and if there is no such stage, pay may be fixed at the next higher stage.

Illustration:

A person drawing emoluments as Basic Pay - Rs. 34,000/- and Dearness Allowance - Rs.44,200/- (DA @ 130%) with increment @ 3% per annum on the basic pay, is appointed in Central Govt. in the Level 11 of Pay Matrix (in 7th CPC) with DA @ 10% on deputation basis, his pay will be fixed as under:-

a. Adding one increment to the basic pay in the substantive post in parent cadre:

Pay in parent cadre post = Rs. 34,000/-.

Increment = 3% of Rs. 34,000/- = Rs. 1,020/-

Adding one increment = Rs. 35,020/- [i.e. Rs. 34,000/- + Rs. 1,020/-]

b. Pay and DA admissible in parent cadre:

DA @ 130% on basic pay = Rs. 45,526/- (130% of Rs. 35,020/-)

Total emoluments in the parent cadre = Rs. 80,546/- (Rs. 35,020/- + Rs. 45,526/-)

c. Now, fixing pay in ex-cadre post in Level 11 of Pay Matrix (with DA @10%) on the basis of emoluments drawn in parent cadre:

Pay in ex-cadre i.e. Rs. 80,546/- shall comprise of Rs. 73,224/- (Basic Pay) + Rs. 7,322/- (DA @ 10%)

Pay Matrix

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Band Pay	15600-39100
Grade Pay	6600
Level	11
3	71800
4	74000

Since there is no cell in Level 11 of Pay Matrix matching Rs. 73,224/-pay will be fixed at Rs. 74,000/- i.e. next cell in higher stage. So, the pay in ex-cadre post will be fixed at Rs. 74,000/-.

In case of reverse foreign service if the appointment is made to post whose pay structure and/or DA pattern is dissimilar to that in the parent organization, the option for electing to draw the basic pay in the parent cadre [along with the Deputation (Duty) Allowance thereon and the personal pay, if any] will not be available to such employee.

(iii) Deputation from State Government/UTs Administration to Central Government:

(a) When the Level (in Pay Matrix)/Pay Scale of the post in the parent cadre and that attached to ex-cadre post are based on the same index level and the DA pattern is also same, the pay may be fixed as provided under 5.1(i) above.

(b) If the appointment is made to a post whose pay structure and/or Dearness Allowance (DA) pattern is dissimilar to that in the parent organization, the pay may be fixed as provided under 5.1(ii) (b) above.

The basic pay from time to time after pay fixation should not exceed the maximum of the pay in the level of the ex-cadre post.

5.2 In cases of appointment from one ex-cadre post to another excadre post where the employee opts to draw pay in the Level (in Pay Matrix)/Pay Scale of the ex-cadre post, the pay in the second or subsequent ex-cadre post should be fixed under the normal rules with reference to the pay in the cadre post only. However, in respect of appointments to ex-cadre posts carrying Level (in Pay Matrix)/Pay Scale identical to that of the ex-cadre post(s) held on an earlier occasion(s), it may be ensured that the pay drawn in subsequent appointment should not be less than the pay drawn earlier.

5.3 In cases of appointments to a second or subsequent ex-cadre post(s) in a higher Level (in Pay Matrix)/Pay Scale than that of the previous ex-cadre post, the pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happens to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as Personal Pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions, the employee should have opted to draw pay in the Level (in Pay Matrix)/Pay Scale attached to the ex-cadre posts.

Note-1: The term parent post and basic pay means the post held on regular basis in the parent organisation and pay drawn/ admissible in such a post respectively.

Note-2: An officer who may be holding a higher post on ad-hoc basis in the cadre at the time of proceeding on deputation/foreign service would be considered to have vacated the post held on ad-hoc basis and proceeded on deputation/foreign service from his/her regular post. During the period of deputation/foreign service, he/she shall earn notional increments in the parent cadre post. On reversion, if he/she is re-appointed to the higher post on regular or ad-hoc basis his pay will get fixed with reference to the pay admissible in the lower post on the date of such re-appointment. In such cases, if his/her pay gets fixed at a stage lower than that of his junior(s) who continued to serve in the cadre, no stepping up will be admissible as per extant rules in so far as

Central Government employees are concerned. However, if the pay so fixed is less than the pay drawn earlier while holding the post on ad-hoc basis the pay earlier drawn will be protected. Therefore, those Central Government employees who are already holding a higher post on ad-hoc basis or expecting it shortly in the parent cadre may weigh all relevant considerations before opting for deputation/foreign service. This note of caution will be applicable to employees of other organizations wishing to apply for posts on deputation in Central Government, if governed by similar rules in parent organization. 107

Note-3: Pay of an officer appointed on deputation/foreign service on adhoc basis pending selection of a regular incumbent may also be regulated in accordance with provisions of Paras 5.1 & 6.1 of this O.M.

Note-4: The provisions of this Para as well as Para 6 will not apply to appointments on Personal Staff of Ministers. Such appointments will be regulated by separate specific orders issued by the Government in that behalf.

[Para 5 of DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010 read with OM No. 2/10/2018-Estt.(Pay-II) dated 2.3.2021]

DEPUTATION (DUTY) ALLOWANCE

6.1 The Deputation (Duty) Allowance admissible shall be at the following rates:

- a. Within the same station, the allowance will be payable at the rate of 5% of basic pay subject to a maximum of Rs. 4500/- p.m.;
- b. In case of change of station, the allowance will be payable at the rate of 10% of basic pay subject to a maximum of Rs. 9000/- p.m.;
- c. The ceilings will further rise by 25 percent each time Dearness Allowance increases by 50 percent; and
- d. Basic Pay, from time to time, plus Deputation (Duty) Allowance shall not exceed the basic pay in the Apex level i.e. Rs. 2,25,000/-. In the case of Government servants receiving Non-Practicing Allowance, their basic pay plus Non-Practicing Allowance plus Deputation (Duty) Allowance shall not exceed the average of basic pay of the revised scale applicable to the Apex Level and the Level of the Cabinet Secretary i.e. Rs. 2,37,500/-.

6.1.2 In cases where the basic pay in parent cadre has been upgraded (upto Level 13 A) on account of Non-Functional Upgradation (NFU), Modified Assured Career Progression Scheme (MACP), Non-Functional Selection Grade (NFSG) etc., and the officer has opted for such upgraded pay of the parent cadre, in that event, the upgraded basic pay under such upgradations shall not be taken into account for the purpose of Deputation (Duty) Allowance. In such cases, the Deputation (Duty) Allowance will be calculated taking the basic pay of the parent cadre which the officer was getting before such upgradation and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.

6.1.3 However, if the upgradation is to Level 14 (in the Pay Matrix) or above, he shall be given the option to draw the upgraded basic pay under such upgradations without Deputation (Duty) Allowance or the pay which he was drawing before such upgradation with Deputation (Duty) Allowance, whichever is more beneficial as per the option of the officer.

6.1.4 In the case of Proforma Promotion under Next Below Rule (NBR), if such a Proforma Promotion (upto Level 13 A) is in a Level of the Pay Matrix which is higher than that of the ex-cadre post, and the officer has opted for the upgraded pay of the Proforma Promotion, the basic pay under such Proforma Promotion shall not be taken into account for the purpose of

(Deputation (Duty) Allowance. Deputation (Duty) Allowance will be calculated taking into account the basic pay which the officer was getting before such Proforma Promotion. The amount of Deputation (Duty) Allowance would be calculated on the basis of the pre-upgraded presumptive pay that the officer was drawing prior to Proforma Promotion and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.

6.1.5 However, if such a Proforma Promotion under NBR is in a Level of the pay matrix which is equal to or below that of the ex-cadre post, Deputation (Duty) Allowance shall be admissible on the basic pay of the parent cadre post allowed under the Proforma Promotion, if opted by the deputationist.

6.1.6 However, if the upgradation is to Level 14 or above of the Pay Matrix, he shall be given the option to draw the upgraded basic pay under such Proforma Promotion without Deputation (Duty) Allowance or the pay which he was drawing before grant of Proforma Promotion with Deputation (Duty) Allowance, whichever is more beneficial as per the option of the officer. The amount of Deputation (Duty) Allowance would be calculated on the basis of pre-upgraded presumptive pay that the officer was drawing prior to the grant of Proforma Promotion and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.

[DoPT's OM No. 2/11/2017-Estt.(Pay-II) dated 24.11.2017 and DoPT's OM No. 2/11/2017-Estt. (Pay-II) dated 15.3.2021]

Note: Basic Pay in the revised pay structure (the pay structure based on 7th CPC recommendations) means the pay drawn by the deputationist, from time to time, in the prescribed Level (in Pay Matrix) of the post held by him substantively in the parent cadre, but does not include any other type of pay like personal pay, etc.

Note: 1 The term 'same station' for the purpose will be determined with reference to the station where the person was on duty before proceeding on deputation.

Note: 2 Where there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned, they would be treated as transfer within the same station.

6.2 Special rates of Deputation (Duty) Allowance may be admissible under separate orders in any particular area on account of the condition of living there being particularly arduous or unattractive. Where special rate is more favorable than that given in Para 6.1 above, employees deputed to the area will be given the benefit of the special rate.

6.3.1 If an employee with the permission of the competent authority, proceeds on deputation/foreign service from one ex-cadre post to another ex-cadre post in the same or another organization without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first one, the rate of Deputation (Duty) Allowance would remain unchanged.

6.3.2 In cases where a person on deputation/foreign service is transferred by the borrowing authority from one station to another without any change in the post held by him. The rate of Deputation (Duty) Allowance will be refixed as per 6.1 (b).

ADMISSIBILITY OF PAY, ALLOWANCES AND BENEFITS WHILE ON DEPUTATION/FOREIGN SERVICE

7.1 Any project allowance admissible in a project area in the borrowing organization may be drawn in addition to Deputation (Duty) Allowance.

7.2 Any special allowance granted to an employee in the parent Department under FR 9(25) or a corresponding rule of parent organization should not be allowed in addition to Deputation (Duty) Allowance. However, the borrowing department may allow in addition to Deputation (Duty) Allowance, under special circumstances, any special allowance attached to the post held by the employee in his/her parent Department, by suitably restricting the Deputation (Duty) Allowance. This will require the specific and prior approval of Department of Personnel & Training.

7.3 In case special allowance is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay in that scale, then, in addition to the pay in that scale, he will also be entitled to draw such special allowance. However, such special allowance will not be admissible if he has opted to draw pay in the parent cadre scale/grade pay plus Deputation (Duty) Allowance.

7.4 Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation/foreign service if he/she opts to draw pay in the parent cadre plus Deputation (Duty) Allowance. No Deputation (Duty) Allowance on this personal pay will, however, be admissible.

7.5 Increments - The employee will draw increment in the parent cadre or in the Level (in the Pay Matrix) attached to the deputation post as the case may be, depending on whether he has opted for the parent cadre pay plus Deputation (Duty) Allowance or the pay of the deputation post. If he has opted for pay of the deputation post, notional increments shall also continue to accrue to him in the post held on regular basis in the parent cadre/organization for the purpose of regulation of pay on repatriation to the parent cadre/post at the end of the tenure.

7.6(a) Such allowances as are not admissible to regular employees of corresponding status in the borrowing organisation shall not be admissible to the officer on deputation/ foreign service, even if they were admissible in the parent organisation.

(b) Following allowances will be regulated with mutual consent of the lending and borrowing organization:

a. HRA/Transport Allowance.

b. Joining time and Joining Time Pay.

c. Travelling Allowances and Transfer T.A.

d. Children Education Allowance.

e. LTC.

(c) Following allowances/facilities will be regulated in accordance with the rules as explained against each:

i. Dearness Allowance - The employee shall be entitled to dearness allowance at the rates prevailing in the borrowing organization or in the lending organization depending on whether he has opted to draw pay of the ex-cadre post or the parent cadre post.

ii. Medical Facilities - This will be regulated in accordance with the rules of the borrowing organization.

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...i. Leave - An officer on deputation/foreign service shall be regulated by the Leave Rules of the parent organization. If, however, an employee proceeds from vacation department to non-vacation department, or vice-versa, he shall be governed by Leave Rules of the borrowing organization. At the time of reversion from the deputation post to the parent cadre, the borrowing organization may allow him/her leave not exceeding two months. The employee should apply for further leave to his Cadre Controlling Authority.

[Para 7.1-7.6 of DoPT's OM No. 6/8/2009-Estt. (Pay-II) dated 17.06.2010]

(d) Military Service Pay (MSP): In case an army officer entitled to Military Service Pay in parent cadre opts for parent cadre pay on deputation to a civil post, MSP will be admissible as a separate element, provided Deputation (Duty) Allowance will not be reckoned on MSP but only on Basic Pay.

[On the basis of clarification dated 16.2.2017 issued by DoE]

7.7 Leave Salary/Pension/NPS Contribution

i. As at present, allocation of leave salary and pension contribution between different Ministries/Departments of Central Government and between Central and State Government has been dispensed with. In such cases of deputation from Central Government to State Government and vice-versa, liability for bearing leave salary vests with the Department from which the officer proceeds on leave or which sanctioned leave and no contributions are payable to the lending organization. Liability for pension/employee's contribution to CPF will be borne by the parent department, to which the officer permanently belongs at the time of retirement and no proportionate contribution will be recovered.

ii. In case of deputation of Central Government employees on foreign service terms to Central Public Sector Undertakings/ State Public Sector Undertakings and Autonomous Bodies etc., leave salary contribution (except for the period of leave availed of on foreign service) and pension contribution/ Contributory Provident Fund (CPF) (Employer's share) contribution are required to be paid either by the employee himself or by the borrowing organization to the Central Government. In cases of reverse deputation from Central Public Sector Undertakings/ State Public Sector Undertakings/ Autonomous Bodies/local bodies to Central Government, the employer's share of CPF for the period of deputation to the Central Government will be borne either by the employee himself or borrowing organisation i.e. Central Government depending on the terms of deputation. A clear mention of the stipulation on whether the Central Government or the employee would bear the liability may be made in the terms of deputation.

[DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 15.2.2012]

iii. In cases of reverse deputation from Central Public Sector Undertakings/ State Public Sector Undertakings/ Autonomous Bodies/local bodies to Central Government, the question regarding leave salary and pension contribution will be decided by mutual consent.

iv. In case of employees covered under New Pension Scheme (NPS), the borrowing department shall make requisite contribution to the NPS account of the employee.

TENURE OF DEPUTATION/FOREIGN SERVICE

8.1 The period of deputation/ foreign service shall be as per the provisions of the RRs of the ex-cadre post or 5 years in case no tenure regulations exist for the ex-cadre post.

8.2 In case where the period of deputation/foreign service prescribed in the RRs of the ex-cadre post is 5 years or less than 5 years, the borrowing Ministry/Department/ Organization may grant extension upto the 6th year after obtaining orders of their Secretary (in the Central Government)/ Chief Secretary (in the State Government)/ equivalent officer (in respect of other cases) and for

the 7th year with the approval of the Minister of the borrowing Ministry /Department and in respect of other organizations with the approval of the Minister of the borrowing Ministry/Department with which they are administratively concerned.

[DoPT's OM No. 2/6/2018-Estt.(Pay-II) dated 18.5.2018.]

8.3.1 The borrowing Ministries/Departments/Organizations may extend the period of deputation up to the seventh year where necessary in public interest, subject to the following conditions:

i. The extension would be subject to the prior approval of the lending organization, the consent of the official concerned and wherever necessary, the approval of the UPSC/ State Public Service Commission and Appointment Committee of Cabinet (ACC).

ii. If the borrowing Ministry/Department/Organization wishes to retain an officer beyond the prescribed tenure, it shall initiate action for seeking concurrence of lending organization, individual concerned etc. six months before the date of expiry of tenure. In no case it should retain an official beyond the sanctioned term unless prior approval of the competent authority to grant further extension has been obtained.

iii. No further extension beyond 7th year shall be granted.

8.3.2 Admissibility of Deputation (Duty) Allowance would be only upto fifth year.

[DoPT's OM No. 2/6/2016-Estt.(Pay-II) dated 23.02.2017]

COOLING OFF

9.1 There shall be a mandatory 'cooling off' period of three years after every period of deputation/foreign service up to Joint Secretary level posts (i.e. deputation post carrying pay in Level-14 of the Pay Matrix) and one year for Additional Secretary level posts (i.e. deputation post carrying pay in Level-15 of the Pay Matrix). The Ministries/Departments may not sponsor name of any such officer who is not likely to complete the mandatory 'cooling off' period by the time the officer is likely to be selected. Further, while sponsoring the name of any such officer who has not completed the mandatory cooling off period, the parent cadre authority may inform the borrowing department that the officer will be relieved only after he/she completes the mandatory cooling off period.

[DoPT's OM No. 2/1/2012-Estt.(Pay-II) dated 4.1.2013.]

9.2 A Central Government employee shall be eligible for deputation/foreign service to posts in State Government/State Government Organization/ UT Administration / Government of UT's Organization/Autonomous Bodies. Trusts, Societies, PSUs etc. not controlled by the Central Government only after he has completed 9 years of service and is clear from the vigilance angle.

9.2.1 However, with the approval of the Minister-in-charge of the Ministry/Department/ Organization:

i. Central Government employee after completion of 7 years of service in his/her cadre, may be allowed to go on deputation to any State of North-Eastern Region and Union Territories of Jammu & Kashmir, Ladakh, Andaman & Nicobar and Lakshadweep or on foreign service to any entity controlled by and located in the afore said States/ Union Territories;

ii. Central Government employees may be allowed to go on deputation to State Governments /Union Territories or on foreign service to any entity controlled by and located in the States/ Union Territories on spouse ground after completion of 6 years of service in the cadre.

[DoPT's OM No. 2/15/2017-Estt.(Pay-II) dated 18.10.2018]

10. If during the period of deputation/foreign service, on account of Proforma Promotion in the parent cadre the official concerned becomes entitled to a higher pay in the Level (in the Pay Matrix) in the parent cadre vis-a-vis that of the ex-cadre post, the official shall complete his/her normal /extended tenure of deputation already sanctioned with the approval of the competent authority. The pay shall be regulated as under:

a. If the Level (in the Pay Matrix) of the officer in the parent cadre becomes higher than that of the deputation post after getting Proforma Promotion, he may be allowed the pay in the Level (in the Pay Matrix) of the post to which he is promoted, if he so opts. In such cases, extensions in deputation after employee has received the Proforma Promotion may be considered as per the instruction in paras 8.1 to 8.3.2.

b. As per the relevant provisions of this OM.

c. If he draws the pay in the Level (in the Pay Matrix) attached to the deputation post, on reversion to his parent cadre, his pay may be fixed by allowing him notional increments in his regular post in the parent department.

d. If the Level (in the Pay Matrix) of the officer in the parent cadre becomes higher than that of the deputation post on getting financial upgradation under the ACP/MACP scheme, the officer may be allowed to draw the pay in Level (in the Pay Matrix) to which he becomes entitled to under the ACP/MACPS, if opted for by him, as laid down in Para 27 of Annexure I to the DoPT OM No. 35034/3/2008 -Estt.(D) dated 19th May, 2009.

PREMATURE REVERSION OF DEPUTATIONIST TO PARENT CADRE.

11. Normally, when an employee is appointed on deputation/foreign service, his services are placed at the disposal of the parent Ministry/ Department/Organization at the end of the tenure. However, as and when a situation arises for premature reversion to the parent cadre of the deputationist, his services could be so returned after giving a notice of at least three months to the lending Ministry/Department/Organization and the employee concerned.

OVERSTAY ON DEPUTATION

12. The deputationist officer is deemed to have been relieved on the date of expiry of the deputation period unless the competent authority has with requisite approvals, extended the period of deputation, in writing, prior to the date of its expiry. It will be the responsibility of the immediate superior officer to ensure that the deputationist does not overstay. In the event of the officer overstaying for any reason whatsoever, he/she is liable to disciplinary action and other adverse Civil/Service consequences which would include the period of unauthorized overstay not being counted for service for the purpose of pension and that any increment due during the period of unauthorized overstay being deferred with cumulative effect, till the date on which the officer rejoins his parent cadre.

[DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 1.3.2011]

All the Ministries/Departments are to ensure that deputations are strictly monitored by the lending Government Ministry/Department/Organization. Requests of the borrowing authorities for no objection to extension of deputation should be closely scrutinized to curb tendency to allow extensions on extraneous ground and overstay.

[DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 16.5.2013]

RELAXATION OF CONDITIONS

3. Any relaxation of these terms and conditions will require the prior concurrence of the Department of Personnel & training. 101

DATE OF EFFECT

14. These orders will take effect from 1.1.2016 and shall be applicable to all officers who were on deputation on 1.1.2016 or appointed thereafter except for the following:

- i. Revised rates of Deputation (Duty) Allowance shall be applicable from 1.7.2017.
- ii. Provisions of Para 8.1 and 8.2 shall be applicable from 18.05.2018.
- iii. Provisions of Para 8.3.1(iii) shall be applicable from 17.02.2016.
- iv. Provisions of Para 9.2.1 shall be applicable from 18.10.2018.

15. List of the OMs mentioned in this document is annexed. In case, any reference to the relevant OM is required, the same may be accessed from DoPT's website.

ANNEXURE

List of OMs mentioned in this Document

S. No.	O.M. No.	O.M. Date	Subject
1.	6/8/2009-Estt.(Pay-II)	<u>01.03.2011</u>	Overstay while on deputation.
2.	6/8/2009-Estt.(Pay-II)	<u>15.02.2012</u>	Clarification regarding regulation of payment of employer's share of contribution to the Contributory Provident Fund during the period of reserve deputation.
3.	6/5/2012-Estt.(Pay-II)	<u>30.11.2012</u>	Provisions relating to proforma promotion.
4.	2/1/2012-Estt.(Pay-II)	<u>04.01.2013</u>	Sponsoring of names of officers for deputation.
5.	6/8/2009-Estt.(Pay-II)	<u>16.05.2013</u>	Proper Monitoring of deputation by the lending departments.
6.	2/6/2016-Estt.(Pay-II)	<u>17.02.2016</u>	Delegation of powers to Ministries / Departments/Borrowing Organizations to extent deputation tenure upto 7 years in cases of Deputation covered by DOPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17 th June, 2010 – regarding.
7.	2/6/2016-Estt.(Pay-II)	<u>23.02.2017</u>	Admissibility of Deputation (Duty) Allowance while on deputation – regarding.
8.	2/11/2017-Estt.(Pay-II)	<u>24.11.2017</u>	Grant of Deputation (Duty) Allowance – Recommendations of the Seventh Central Pay Commission – regarding.
9.	2/6/2018-Estt.(Pay-II)	<u>18.05.2018</u>	Amendment in Para 8.1 and Para 8.2 of deputation guidelines issued vide OM No. 6/8/2009-Estt.(Pay-II) dated 17 th June, 2010.
10.	2/15/2017-Estt.(Pay-II)	<u>18.10.2018</u>	Transfer of deputation/ foreign service of Central government Employees to ex-cadre

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			posts under the State Governments/ Union Territories or to any entity controlled by and located in the States/UTs – relaxation of para 8.5 of O.M. dated 17.06.2010.
11.	2/10/2018-Estt.(Pay-II)	<u>02.03.2021</u>	Amendment of Para 5 of consolidated guidelines on deputation issued vide OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010 according to 7 th CPC pay structure.
12.	2/11/2017-Estt.(Pay-II)	<u>15.03.2021</u>	Grant of Deputation (Duty) Allowance in cases where the basic pay in parent cadre has been upgraded on account of NFU, MACP, NFSG, etc. in the 7 th CPC context – clarification.
13.	2/9/2018-Estt.(Pay-II)	<u>12.04.2021</u>	Amendment in Para 3.4 of deputation guidelines issued vide OM No. 6/8/2009-Estt. (Pay-II) dated 17 th June, 2010-

No.AB-14017/2/07-Estt (RR)
Government of India
Ministry of Personnel, PG and Pensions
(Department of Personnel and Training)

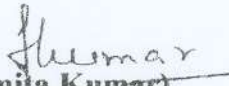
New Delhi-110001
Feb. 29th, 2008

OFFICE MEMORANDUM

Subject: Consolidated guidelines on deputation / foreign service for members of the organized Group A and the Group B Services of the Central Government.

The issue regarding deputation/ foreign service to ex-cadre posts has been reviewed and it has been decided that henceforth , **the appointment for the purpose of deputation / foreign service and provisions regulating tenure & procedure of appointment would be according to guidelines enclosed .**

2. For the time being, the guidelines contained in these instructions will apply only to members of the organized Group 'A and 'B' Services of the Central Government. These orders will take effect from the date of issue and past cases will not be reviewed based on these instructions. Hindi version will follow.


(Smita Kumar)
Director (E.I)

To
All Ministries/Departments of Government of India

Copy to :-

- 1.The President's Secretariat, New Delhi.
- 2.The Vice President's Secretariat, New Delhi
- 3 .The Prime Minister's Office, New Delhi, w.r.t. I D No. 1024270/PMO/2008-
Pol.dt.25.2.2008
- 4.Cabinet Secretariat, New Delhi.
- 5.Rajya Sabha Secretariat/Lok Sabha Secretariat, New Delhi.
- 6.The Registrar General, Supreme Court of India.
- 7.The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi.
- 8.The Comptroller and Auditor General of India, New Delhi.
- 9.Secretary, Union Public Service Commission, New Delhi.
- 10.Staff Selection Commission, New Delhi.

11. All attached offices under the Ministry of Personnel, Public Grievances & Pensions.

12. Establishment Officer & Secretary, ACC(10 copies).

13. All Officers and Sections in the Department of Personnel & Training.

14. Secretary, Staff Side, National Council (JCM), 13-C, Ferozeshah Road, New Delhi.

15. NIC (DOPT) for placing this Office Memorandum on the Website of DOPT

16. Establishment (RR) Section with 50 spare copies.

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GUIDELINES FOR DEPUTATION / FOREIGN SERVICE OF CENTRAL GOVERNMENT OFFICERS

1.1 Central Staffing Scheme (CSS) :-

Posts that are to be covered:

Ministries/Departments of Government of India

Procedure to be followed for appointment:

Civil Services Board (below JS), with ACC approval for JS and above.

Tenure to be applicable:

US level	-	3 years
DS level	-	4 years
Dir level	-	5 years
JS/AS level-		7 years (subject to 3 years in the second post, and also subject further to a minimum of 5 years in the Centre.)
AS level	-	4 years
Secy level	-	no ceiling.

1.2 Non-Central Staffing Scheme posts:-

1.2.1 Posts that are to be covered:

Autonomous Institutions wholly or substantially funded or controlled by the Central Government.

Procedure to be followed for appointment:

Search-cum-Selection Committee process as laid down in DoPT Office Memorandum No. 28/13/2006-EO(SM.II) dated 03/07/2006 & OM NO.AB 14017/11/2004-Estt(RR)dated 30/7/07, OR as per approved RRs OR as per statutory provisions for institutions covered by specific statutes (with ACC approval for Chief Executives carrying pay scales of Rs.18400-22400 or above).

Tenure to be applicable: As provided under the Central Staffing Scheme.

1.2.2 Posts that are to be covered:

CVOs

Procedure to be followed for appointment:

From DOPT panel with concurrence of CVC and Ministry concerned (with ACC approval for JS and above), i.e. as per current procedure.

Tenure to be applicable:

Maximum of 5 years. (A deputation of 3 +3 years is permissible when an officer moves from one PSU to another).

1.2.3 Posts that are to be covered:

Central PSUs or PSUs of another State or PSUs wholly or substantially owned and controlled by two or more States.

Procedure to be followed for appointment:

Subject to exemption from Immediate Absorption Rule through PESB/Search Committee (with ACC approval for JS and above)

Tenure to be applicable: As provided under the Central Staffing Scheme.

1.2.4 Posts that are to be covered:

Constitutional Bodies or staff officers of Heads of Constitutional Bodies

Procedure to be followed for appointment:

Civil Services Board OR on request by name, subject to vigilance clearance and suitability (with ACC approval for JS and above)

Tenure to be applicable: As provided under the Central Staffing Scheme.

1.2.5 Posts that are to be covered:

Statutory Bodies set up by an Act of Parliament or staff officers of Heads of such Statutory Bodies.

Procedure to be followed for appointment:

For appointments below JS level – through a Committee under the Chairmanship of Secretary(Personnel) with the approval of MOS(PP).

For appointments of JS and above level- through CSB with the approval Of ACC.

Tenure to be applicable: As provided under the Central Staffing Scheme

1.2.6 Posts that are to be covered:

Non-permanent, Non-Statutory Bodies with a specific term set up through executive orders/notification by the Central Government- like Administrative Reforms Commissions, Pay Commission, National Manufacturing Competitiveness Commission, Sachar Committee, Inquiry Commissions, etc.

Procedure to be followed for appointment:

Civil Services Board (with ACC approval for JS and above)

Tenure to be applicable: As provided under the Central Staffing Scheme.

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Provided that, if an officer moves from a CSS to a non-CSS post, or vice versa, she/he shall be eligible for an additional tenure of two years, subject to at least two years on either post.

1.3 Ex-Cadre Deputation.

Posts that are to be covered:

To another post in Central Government/ State Government where Recruitment rules /regulations etc. exist and deputation is one of the methods of appointment

Procedure to be followed for appointment:

With the concurrence of the cadre controlling authority, borrowing Department and with the approval of the authority competent for filling up the post.

Tenure to be applicable:

According to the provisions of DOPT OM no. 2/29/91-Estt.(Pay-II) dated the 5th January 1994 as amended from time to time .

2.1 International Organizations.

Posts that are to be covered:

- i) UN Organizations.
- ii) International Financial Institutions like World Bank, IMF, ADB, etc.
- iii) Multilateral organizations of which India is a member, like IAEA, WTO, Commonwealth Organization, International Court of Justice, SAARC etc.
- iv) Bilateral Bodies set up under the Vienna Convention, i.e. Embassies and Bodies set up under them, like USAID, DFID, NORAD, etc.
- v) International NGOs or Funding Organizations from which India receives technical/financial assistance like International Red Cross Society, Action Aid, Aga Khan Foundation, Ford Foundation, etc.

Procedure to be followed for appointment:

A Committee under the Chairmanship of Cabinet Secretary with Secretary(Personnel), Finance Secretary will screen all proposals for deputation on foreign service terms of officers of the level of JS and above, on a case to case basis, after the proposals have been approved by the Cadre Controlling Authority. Such screening in the case of officers below the level of JS will be by a Committee chaired by the Secretary of the Cadre Controlling Ministry/Department with a member each, not below the level of JS from the DOPT and Department of Expenditure. A final decision on the recommendations of the Screening Committee may be taken at the level of Minister-in-charge in the case of officers holding posts below JS-level and with the approval of PM in the case of officers holding JS-level posts or above

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Provided that for appointment to posts listed at (iv), the Foreign Secretary or the MEA Secretary concerned shall also be a member of the Committee under the chairmanship of Cabinet Secretary for officers of JS and above level. For officers below JS level, a nominee of Foreign Secretary not below the level of JS would be included in the screening committee.

Provided further that for appointments to posts listed at (v), the concurrence of MHA shall be taken.

Tenure to be applicable:

Maximum of 5 years at a stretch.

2.2 Autonomous body, trust, society, etc. not controlled by the Government, or a private body.

Posts that are to be covered :

- i) Registered Societies or Trusts or Foundations or non-profit organizations or NGOs or cooperatives;
- ii) Apex bodies of Industries and Commerce;

Provided that such autonomous or private bodies fulfill all four of the Following criteria:-

- a) they are functionally autonomous of the Central and State Governments;
- b) they are not substantially funded by the Central and State Governments;
- c) the Central or State Governments do not have powers to give them directions; and
- d) they are not companies registered under the Registration of Companies Act.

Procedure to be followed for appointment:

As in Para 2.1

Tenure to be applicable:

Maximum of 5 years at a stretch.

2.3 Terms and conditions for deputation/ foreign service not covered under this OM , would be as per DOPT OM No. 2/29/91-Estt.(Pay-II) dated the 5th January 1994 as amended from time to time. For the foreign service, terms and conditions in Annex I amend the guidelines of 1994 to the extent they are at variance .

2.4 The total period of foreign service under Para 2.1 and 2.2 above shall not exceed a maximum of 7 years in the entire service.

2.5 There shall be a mandatory 'Cooling Off' requirement after every period of deputation and foreign service. The length of 'Cooling Off'

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shall be as follows:

- (i) For JS level (Rs. 18400-22400/) and below -3 years
- (ii) For AS level (Rs. 22400 - 2500/) - 1 years
- (iii) For Secretary level- nil

2.6 The Consolidated Deputation/ Foreign service guidelines for organized Gr. 'A' & 'B' services shall come into force with prospective effect.

2.8 Appointments for which orders have already been issued shall not be affected by these guidelines

Annexure- I**Terms And Conditions For Foreign Service**

1. The general principle of public interest shall be the overriding factor in deciding foreign service under this rule. The competent authority shall also see whether there is any enrichment of the experience of the officer by such deputation.
2. Officers who are on foreign service would run the disqualification of not being considered for empanelment under the Central Staffing Scheme during the currency of their foreign service and also till they earn ACRs on return to their cadre.
3. FCRA clearance shall be required for foreign service to an organization receiving foreign donations.
4. All such cases of foreign service shall be considered only with the consent of the officer concerned and the approval of the cadre controlling authority.
5. The foreign service will not be considered, under any circumstances, as a mandatory posting.
6. A Central Government Officer shall be eligible for foreign service only after he has completed 9 years of service.
7. A Central Government Officer shall be eligible for foreign service only if he is clear from vigilance angle.
8. For foreign service, the officer should not have dealt with the borrowing organization in the last five years.
9. An officer shall not be allowed to proceed on foreign service to organizations in which he or any of his blood relations is connected with the setting up/management of the organization.
10. Mode of selection for the post may be based on advertisement, nomination or direct offer.
11. The limit of 5 years in one stretch and 7 years in the entire career for foreign service to organizations covered under Para 2.1 and 2.2 shall not be extended under any circumstances. The officer shall be deemed to have resigned from service in case he/she fails to join the Government within one month of completion of his/her approved tenure with the concerned organization.

12. While serving in Constitutional /statutory / multilateral or bilateral organization /international financial organizations, the officer shall be eligible to draw pay and allowances as per the scheme of the borrowing organization. In the other organizations, the officer may opt for his grade pay or the pay of the post, whichever is more beneficial to him.

13. While on foreign service, the service conditions of the officer shall continue to be regulated under the relevant Service Rules. Other terms and conditions may be in accordance with standard terms devised from time to time.

14. The provisions of paying to the Government 1/3rd of the amount of fee earned by the officer during short-term assignments with international organizations may also be removed. There will not be any distinction between international organizations and other national organizations in this respect.

15. Participation in the pension scheme - The officers on foreign service, except to Constitutional bodies, which may have their own regular pension schemes, shall not be permitted to join the pension schemes of the organization under any circumstances. A Central Government Officer may join the Pension scheme of the UN bodies in accordance with the relevant rules. On joining the same, the service rendered by the officer during the deputation period shall not be counted as qualifying for pension.

16. The entire expenditure in respect of pension and leave salary contribution for the period of foreign service shall be borne by the borrowing organization, failing which by the officer. However those allowed joining the pension schemes of the organizations mentioned above shall not be required to make pension contributions.

17. Performance appraisal /ACRs during the period of foreign service – The competent authority in the organization accepting the officer shall provide an ACR/Performance appraisal written in such form as prescribed under rules.

18. The terms and conditions of foreign service shall be finalised by the concerned administrative Ministry/Department, in accordance with the standard terms and conditions prescribed by the DOPT.

19. Notwithstanding anything above, the Government shall have the absolute right to refuse permission or recall an officer from foreign service.

20. An officer on foreign service shall be considered for promotion on his turn.

No.6/8/2023-Pers.Policy (Deputation/Re-employment) Pt.XV
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated the 15th March, 2024.

OFFICE MEMORANDUM

Subject:- Deputation of Group 'A' Officers of the Central Government to State Governments/UTs- Modification in guidelines - regarding.

The undersigned is directed to invite attention to the consolidated guidelines/instructions uploaded on the website of DOPT with regard to regulation of terms and conditions governing deputation/foreign service of employees to/from Central government including instructions/guidelines to be followed in connection with transfer on deputation /foreign service of Central Government employees to ex-cadre posts under Central Government /State government /Union Territories administration/Public Sector Undertakings/Autonomous Bodies/Statutory Bodies/Universities /Local Bodies etc. and vice versa.

2. Attention is also drawn to para 1.3 of this Department's OM No.AB-14017/2/2007-Estt (RR) dated 29.02.2008 indicating the provisions regulating tenure and procedure of appointment on deputation /foreign service for members of Organized Group A and Group B Services of the Central Government.

3. In consonance with the provisions governing inter-cadre deputation of officers belonging to the All India Services and in partial modification of the existing instructions, deputation of Group 'A' officers of the Central Government to ex-cadre posts under a State Government/UT Administration including PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies under the States/UT Administration, would be regulated as per the following procedure, to be strictly adhered to by the Cadre Controlling Authorities (CCAs) of Lending Organisations:

(i) All such cases shall be submitted for consideration and approval of the **Appointments Committee of the Cabinet (ACC)**.

(ii) Such deputation will be available to the officers only after completion of nine years of service in parent Cadre and before reaching Level 14 of the Pay Matrix in the Parent Cadre.

(iii) The 1st July of the batch year is to be considered as the starting date of calculating length of service for the purpose of counting nine years of eligibility of the officers seeking deputation. In case of promotee officers, nine years of eligibility service for seeking such deputation shall be counted from the 1st July of the year of allotment/induction into Group 'A' service or promotion to Group 'A' post.

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(iv) A request for such deputation will be entertained only if it is forwarded by the Cadre Controlling Authority along with NOC/Consent of the borrowing State Government.

(v) All such cases of deputation will be initially restricted to three years, extendable by two more years after review. Where the initial period of deputation is for less than three years, continuation of the officer on deputation basis beyond the initial period, shall be treated as a case of extension of that deputation, requiring prior approval of the ACC.

(vi) The total allowable period of such deputation to any State Government/UT Administration including PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies in the States/UT Administration in the entire career of the officer shall be restricted to five years. No extension of deputation beyond five years shall be allowed.

(vii) The officers who are already on deputation and reached Level 14 of the Pay Matrix in the Parent Cadre, while on deputation, may be allowed to complete their full term.

(viii) A request for extension of deputation after the initial period of deputation (subject to restriction of the overall tenure of deputation of five years) will be entertained only if it is forwarded by the Cadre Controlling Authority along with NOC of the borrowing State Government, with cogent reasons and at least three months prior to the expiry of the period of deputation. In case no specific approval of the Central Government for extension is received within the period for which deputation was originally valid, the officer shall have to be relieved positively and immediately on completion of the original tenure.

(ix) In cases where an officer has completed the approved period of deputation, it would be made clear to the officer and to the Cadre Authorities concerned that adverse notice will be taken at the time of empanelment and promotion of the officer if the officer continued on such deputation beyond the approved period of deputation.

(x) The deputation is valid only for the period for which it is allowed by the Central Government and any extension is neither automatic nor should be presumed merely on the ground that the Cadre Authorities concerned or officer or both made a request for extension. As such, the officer shall be entitled to draw salary etc. in the borrowing State Government to which he/she has been deputed only for the period for which he/she has been allowed deputation by the Government of India. The officer shall not be entitled to draw salary etc. after expiry of the period of deputation. An officer on such deputation shall relinquish charge and get himself/herself relieved on the last day of

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his/her deputation, if no orders extending his/her deputation by the concerned Cadre Controlling Authority are received in the borrowing State Government.

(xi) An officer who does not handover charge at the end of the approved period of deputation will be immediately liable to disciplinary action and break-in-service for the period beyond the approved date. All orders of deputation will carry endorsement to this effect. Further, an endorsement will also be made to the Accountant General of the State/UT Administration or competent authority concerned to stop payment of salary to the officer beyond the approved period of deputation. In case of overstay, the officer will be immediately liable to disciplinary action and break-in-service for the period beyond the approved date.

(xii) Copies of all deputation orders must be marked to/served on the officer concerned along with State Government/UT/borrowing Organisation and others concerned.

(xiii) In the event the officer overstays for any reason whatsoever, he/she is liable for disciplinary action and other adverse Civil/Service consequences which would include the period of overstay not being counted towards service for the purpose of pension and any increment due during the period of overstay being deferred with cumulative effect, till that date on which the officer rejoins in his parent organisation.

(xiv) The State/UT/borrowing Organisations are advised to relieve the officer promptly on the last date of completion of the deputation tenure without fail unless the competent authority in the Central Government extends the period of deputation in writing prior to its date of expiry.

(xv) Grant of leave to officer on completion of their tenure of deputation: On reversion from such deputation, the officers concerned might be allowed leave not exceeding two months by the borrowing State Government where the officer was on deputation and that the officer concerned should apply for further leave to his/her parent cadre. Further, such leave is debitable from the leave account of the officer.

(xvi) Cooling off period:

a) If the deputation is to North-East States, the cooling off period would be waived off.

b) Thus, an officer would be allowed to go on deputation to a North-East State directly on completion of existing deputation in a post under the Central Government, without cooling off.

c) Conversely, an officer can proceed on another deputation to a post under the Central Govt. directly after serving a full term of deputation in a North-East State for

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five years, without undergoing mandatory cooling off period, on the basis of the officer's own request and subject to cadre clearance.

d) In all other cases, 'cooling off' requirement shall be governed by the provisions contained in 'Consolidated Deputation Guidelines' issued vide OM No.AB-14017/2/07-Estt(RR) dated 29.02.2008.

(xvii) Relaxation of policy guidelines:

a) The cases where relaxation of any of the provisions of these guidelines are required will be put up to a Committee for a decision as to whether the proposal may be submitted to the ACC for its consideration, in relaxation of existing guidelines.

b) Composition of Committee: The composition of the Committee, constituted to consider such cases of Group 'A' Officers of the Central Government, where relaxation of any of the provisions of the policy/guidelines are required, would be as under:

1.	Secretary to Government, Department of Personnel & Training.	Chairman
2.	Establishment Officer & Additional Secretary, Department of Personnel & Training.	Member
3.	Secretary of the Administrative Ministry/Department concerned.	Co-opted Member
4.	Additional Secretary / Joint Secretary in charge of Pers Policy Division, Department of Personnel & Training	Member Secretary

c) The Committee shall consider all such cases of deputation and give its recommendations on the need and justification of such deputation.

(xviii) In terms of clause (v) of this O.M., the aforementioned Committee shall review all cases seeking extension of deputation beyond 3 years, and that only those cases recommended by the Committee for extension of deputation beyond 3 years, would be placed before the ACC for consideration. As a one-time measure, the aforesaid Committee shall also review the present cases of deputation to State Governments/UT Administration PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies under the States/UT Administration where the remaining tenure of the officer is six months or more. The Committee after review shall give its recommendation for continuation of the officer till the end of term of deputation. Such cases shall thereafter also be submitted for the consideration and approval of the Appointments Committee of the Cabinet.

(xix) The Cadre Controlling Authorities shall consider all cases of deputation of Group 'A' officers of Central Government to State Governments/UT including PSUs/Autonomous bodies/Statutory Bodies/Universities/Local Bodies under the

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States/UT Administration keeping in view the aforementioned guidelines and submit the same, along with the approval of the Minister in Charge, for consideration and approval of the Appointments Committee of the Cabinet.

4. Provisions contained in para 1.3 of this Department's OM No.AB-14017/2/2007-Estt (RR) dated 29.02.2008, to the extent they govern the deputation of Group 'A' officers of the Central Government to ex-cadre posts under State Governments/Union Territories including PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies in the States/UT Administration stand modified accordingly. All other instructions /guidelines consolidated vide DOPT's OM dated 08.09.2022 and OM dated 29.02.2008 shall remain unaltered.
5. These guidelines shall be applicable with immediate effect.
6. Hindi version will follow.

28/15/3/2024

(Mahesh Kumar)

Under Secretary to the Govt. of India

Tel: No.011-23040489

Reference: DOPT OM No.DOPT-16675550357 dated 08.09.2022 (document consolidating the instructions governing deputation from /to Central government issued vide DOPT's O.M. No.6/8/2009-Estt. (Pay-II) dated 17.06.2010 followed by related and subsequent OMs and instructions issued vide DOPT's OM No.AB-14017/2/2007-Estt (RR) dated 29.02.2008.

To

All Ministries /Departments of the Govt. of India etc.
(As per standard list)

Copy to NIC :- To upload the OM on the Department's website in "What's new" and also in "Establishment sub-head "deputation".

[Necessary amendments for applicability of these instructions on officers and employees of O/o the C&AG shall be issued separately in consultation with C&AG]