

No.DOPT-1718710547778
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
AIS(AIS-II (PENSION))

North Block, New Delhi
Dated 18 June, 2024

OFFICE MEMORANDUM

Subject:- Consolidated Deputation Guidelines for All India Services

Instructions have been issued from time to time regarding Deputation Guidelines for All India Services Officers under Rule 6 of Indian Administrative Service (Cadre) Rules, 1954 and the analogous provisions in the Cadre Rules of Indian Police Service and Indian Forest Service. In order to bring clarity to the existing instructions and enable uniform implementation, the guidelines issued so far on the subject have been reviewed, consolidated and reiterated at one place.

2. It may be noted that any mode of deputation other than those prescribed in the Annexures attached with this OM shall be invalid. Accordingly, the following may be noted for strict compliance:

- i. For all appointment of IAS officers on deputation/foreign service, prior 'No Objection' from the Cadre Controlling Authorities concerned shall be mandatory;
- ii. No appointment shall be made on loan basis or bilateral arrangements or any other informal basis forthwith;
- iii. For any appointment/deputation approved without "No Objection" from the respective Cadre Controlling Authority, the officer concerned shall also be liable to disciplinary action under relevant rules; and
- iv. The existing appointments on loan basis or bilateral arrangements or any other informal basis in violation of existing guidelines/instructions/rules shall be terminated and officers so appointed shall be repatriated to the parent cadre/organization with immediate effect.

3. In so far as the provisions which are not covered in this Guideline are concerned, the provisions in the earlier guidelines shall continue to be applicable.

CONSOLIDATED DEPUTATION GUIDELINES FOR ALL INDIA SERVICE OFFICERS

The guidelines for All India Services with respect to Rule 6 of IAS (Cadre) Rules, 1954 and the analogous provisions in the Cadre Rules of Indian Police Service and Indian Forest Service are consolidated as follows:-

1. Rule 6(1)

"A cadre officer may, with the concurrence of the State Governments concerned and the Central Government, be deputed for service under the Central Government or another State Government or under a company, association or body or individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Central Government or by another State Government."

1.1 Central Staffing Scheme:-

Posts that are to be covered:

Ministries/Departments of Government of India, Union Public Service Commission, Election Commission of India, Central Vigilance Commission, Central Intelligence Commission

Procedure to be followed for appointment:

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

Tenure to be applicable:

US level - 3 years

DS level - 4 years

Dir level - 5 years

JS 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

Secretary level - No ceiling

1.2 Non-Central Staffing Scheme:-

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 (as amended from time to time)(**ANNEXURE-I**) OR as per

approved RRs OR as per statutory provisions for institutions covered by specific status (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:

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

1.2.6 Posts that are to be covered:

Non-permanent, non-statutory bodies with a specific term set up through executive orders/notifications 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

Note I: Procedure to be followed for appointment to Non-CSS Posts: NOC/Cadre/Vigilance Clearance from the concerned Cadre Controlling Authority is required for appointment to the posts where the Competent Authority is other than ACC/DoPT.

Note II: Standard Terms and Conditions for Deputation under Non-Central Staffing Scheme, other than CVOs, is provided at **ANNEXURE-II**.

NOTE: 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 Inter-Cadre Deputation

Posts that are to be covered:

To another State Government

Procedure to be followed for appointment:

With the concurrence of the State Government on whose Cadre the officer is borne and the borrowing State Government, and with the

approval of the Central Government, as per the terms laid down in DoPT O.M. No.13017/28/2022-AIS-I dated __.09.2022* (as amended from time to time) (**ANNEXURE-III**)

Tenure to be applicable:

Maximum of 5 years, provided that the officer has completed 9 years in his own Cadre and has not reached the Super-time Scale.

2. Rule 6(2)(i)

"A Cadre officer may also be deputed for service under a company, association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by a State Government, a Municipal Corporation or a Local Body, by the State Government on whose cadre she/he is borne."

Deputation within the State Government on whose Cadre the officer is borne.

Posts that are to be covered:

- i. A Municipal Corporation or a Local Body of the State
- ii. State Government PSUs
- iii. Training/Research/Educational Institutions wholly or substantially funded or controlled by the State Government
- iv. Autonomous Institutions wholly or substantially funded or controlled by the State Government
- v. A registered Trust or Society or Association or Body of Individuals wholly or substantially funded or controlled by the State Government

Procedure to be followed for appointment:

Appointment by the State Government

Tenure to be Applicable:

As decided by the State Government

Note: Service in any of these posts shall count towards Cooling Off **provided that** the posts mentioned in (iv) and (v) shall count towards Cooling Off only if they are located within the State.

3. Rule 6(2)(ii)

"A Cadre officer may also be deputed for service under an international organization, an autonomous body not controlled by the Government, or a private body, by the Central Government in consultation with the State Government on whose Cadre she/he is borne."

3.1 Deputation under Rule 6(2)(ii) to International Organizations

Posts that are to be covered:

- i. United Nations Organizations or Organisations under the UN
- ii. International financial institutions like World Bank, IMF; Regional Banks, like ADB, etc.
- iii. Multilateral organizations of which India is a member, like IAEA, WTO, Commonwealth Organization, International Court of Justice, etc.; Bodies of Regional Cooperation, like SAARC, EU, 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.
- vi. International organisations, which are private bodies

Procedure to be followed for appointment:

With the approval of the Committee under the Chairmanship of the Cabinet Secretary comprising Secretary (P) and Finance Secretary (with PM's approval for JS and above);

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.

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

Tenure to be applicable:

Maximum of 5 years at a stretch

3.2 Deputation under Rule 6(2)(ii) to an autonomous body, trust, society, etc. not controlled by the Government, or a private body

Posts that are to be covered:

- i. Non-profit organisations or Foundations of repute working in the fields of research, social work, social development, infrastructure etc.
- ii. Organisations registered under the Societies Registration Act
- iii. Organisations registered under the Charitable Trusts Act
- iv. Organisations registered under the Cooperatives Act
- v. Apex bodies of Industries and Commerce

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

- a. Structure of the Organisation - Organisations covered under Rule 6(2)(ii) may include Commissions, Regulatory Authorities and organisations like Universities, with functional autonomy created under Constitutional and statutory provisions.
- b. Financial Autonomy - Organisations with less than 50% share of Government funding or organisations where Government is not a majority shareholder. The organisations are not substantially funded by the Central and State Governments.
- c. Power to give directions - The Central or State Governments do not have powers to give them directions. The nature of bylaws and the power to guide would be important, eg. in the case of Food Corporation of India. Organisations where Government officials hold ex-officio positions cannot be considered as autonomous.
- d. They are not companies (except Section 25 companies) registered under the Registration of Companies Act.

Provided further that deputation to Section 25 companies shall be allowed only on standard Government deputation terms.

Procedure to be followed for appointment:

With the approval of the Committee under the Chairmanship of the Cabinet Secretary comprising Secretary (P) and Finance Secretary (with PM's approval for JS and above)

Tenure to be applicable:

Maximum 5 years at a stretch

Note I: Provided that total period of deputation under all categories under Rule 6(2)(ii) shall not exceed a maximum of 7 years in the entire Service.

Note II: Guidelines for Deputation Under Rule 6(2)(ii) is provided at ANNEXURE-IV. Standard Terms and Conditions for Deputation under Rule 6(2)(ii) is provided at ANNEXURE-V.

4. Notwithstanding anything contained above regarding deputation tenures,
 - i. absence from the cadre shall not exceed more than 7 years at a stretch for officers below the level of Secretary as a result of inter-cadre deputation and deputation under Rule 6(2)(ii); and
 - ii. the total period under inter-cadre deputation and deputation under Rule 6(2)(ii) shall not exceed 10 years in the entire career.
5. There shall be a mandatory 'Cooling Off' requirement after every period of deputation under Rules 6(1) and 6(2)(ii). The length of such "Cooling Off" shall be as follows:

- i. For JS-level and below - 3 years
- ii. For AS--level - 1 year
- iii. For Secretary level - Nil

Note: Since the requirement of “cooling off” is to ensure that an officer does not stay away from his/her Cadre for long stretched at a time, there shall be no objection if an officer on Central Deputation is permitted deputation under Rule 6(2)(ii) to the limit of approved Central Deputation tenure without cooling off. This is subject to the overall tenure ceiling under the Consolidated Deputation Guidelines.

6. If the administrative Ministries/Departments and other borrowing organizations wish to retain an officer beyond five years, they may extend the tenure of deputation where absolutely necessary in the public interest, up to a period not exceeding 7 years at a stretch. This shall be done with the approval of the Minister of the borrowing Ministry/Department concerned and in respect of other organizations, with the approval of the Minister of the borrowing Ministry/Department with which they are administratively concerned, keeping in view the exigencies and subject to fulfillment of all other requirements such as willingness and vigilance clearance of the Officer concerned, NOC of the lending authority/State Government, UPSC/ACC approval wherever applicable.

In cases where the necessity to have deputation tenures longer than 7 years is felt, the concerned administrative Ministries/Departments/borrowing organizations may amend the relevant Recruitment Rules of such deputation post accordingly, after following the requisite procedure. No extension of deputation beyond 7 years is to be allowed unless provided in the relevant Recruitment Rules of such deputation post. Thus, no case of extension shall be referred to the Department of Personnel and Training, New Delhi.

The cases which are not covered under Non-Central Staffing Scheme posts, other than CVOs, including those where Central Government is neither a lending authority nor a borrowing authority, will continue to be decided in terms of the relevant provisions/rules/instructions etc. governing them.

7. The Consolidated Deputation Guidelines for All India Service officers shall come into force with prospective effect.

8. Appointments for which orders have already been issued shall not be affected by these Guidelines.

9. Nothing contained in the above guidelines shall affect or override the special dispensations provided to certain Cadres.

(Sign of Authority)
Bhupinder Pal Singh
Under Secretary
23094714

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Annexure - 1

Annexure - 2

Annexure - 3

Annexure - 4

Annexure - 5

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