

No. 2/6/2009-Estt. (Pay II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

New Delhi, 25th February, 2009.

OFFICE MEMORANDUM

Subject: Deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies.

Reference is invited to this Department's O.M. No. 2/29/91-Estt. (Pay II) dated 5th January, 1994 which lays down the guidelines relating to deputation of Central Government Employees to ex-cadre posts under Central/State Governments and on Foreign Service to Central/State PSUs/Autonomous Bodies. Para 8 of the O.M. lays down the procedure of extension of deputation/foreign service beyond the period prescribed in the Recruitment Rules of the ex-cadre posts.

2. It has now been decided to revise the existing Para 8 of the O.M. dated 5th January, 1994 [read with O.M. No. 2/29/91-Estt. (Pay II) dated 20th June, 2006] relating to tenure of deputation as under:

8. Tenure of deputation/foreign service

8.1 The period of deputation/foreign service shall be as per the Recruitment Rules of the ex-cadre post or 3 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 3 years or less, the Administrative Ministry/borrowing Organisations may grant extension upto the 4th 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 fifth year with the approval of the Minister of the borrowing Ministry/Department and in respect of other organisations, with the approval of the Minister of Ministry/Department with which they are administratively concerned.

8.3 The borrowing Ministries/Departments/Organisations may extend the period of deputation upto the fifth year where absolutely necessary in public interest, subject to the following conditions:

- (i) where such extension is granted, it will be subject to the condition that no deputation (duty) allowance will be allowed beyond the fourth year, if the official concerned has opted to draw deputation (duty) allowance.

- (ii) the extension would be subject to the prior approval of the lending organisation, the consent of the official concerned and wherever necessary, the approval of the UPSC/State Public Service Commission and Appointment Committee of Cabinet (ACC).
- (iii) if the borrowing organisation wishes to retain an officer beyond the prescribed tenure, it shall initiate action for seeking concurrence of lending organisation, 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 approval of the competent authority to grant further extension has been obtained.

No further extension shall be considered.

8.4 There shall be a mandatory "cooling off" period of three years after every period of deputation/foreign service upto Joint Secretary level posts and one year for Additional Secretary level posts.

8.5 A Central Government employee shall be eligible for deputation/foreign service to State Government/State Government Organizations/Government of UTs/Government of UTs Organizations/International Organizations/ 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 and has not dealt with the borrowing organization in the last five years. Such deputation/foreign service shall be limited to a maximum period of seven years in the entire service of a Central Government servant.

8.6 If during the period of deputation/foreign service, on account of proforma promotion in the parent cadre under Next Below Rule or upgradation, the official concerned becomes entitled to a higher Pay Scale/Pay Band & Grade Pay in the parent cadre vis-a-vis that of the ex-cadre post, he will have the option either to continue in the deputation post (without availing of proforma promotion/upgradation) for the rest of the term or revert to his/her parent cadre within a period of six months. In case the official wishes to continue on the deputation post, there shall be no pay fixation based on the proforma promotion/upgradation and he will continue to draw the pay being drawn by him.


(Rita Mathur)
Director

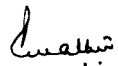
To

All Ministries/Department (As per standard list attached)

Copy to : Director (NIC), Department of Personnel & Training, to upload the O.M. on this Department's website under the Head "Establishment (Pay)", Sub-Head "Deputation".

Copies also forwarded to:

1. The Comptroller & Auditor General of India and all States under his control. (With 400 spare copies)
2. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
3. Secretaries to UPSC/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Planning Commission.
4. Department of Personnel & Training (AIS Division)/JCA/Admn. Section.
5. Additional Secretary (Union Territories), Ministry of Home Affairs.
6. All State Governments and Union Territories.
7. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi
8. All Members of the Staff Side of the National Council of JCM/Departmental Council.
9. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners' Welfare.
10. Ministry of Finance, Department of Expenditure
11. 50 spare copies.



(Rita Mathur)

Director