

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.

2/5/15/3/2024

(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

25/15/3/2024

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

2/8
15/3/2024

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

2/5/15/3/2024

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.

2/15/3/2024

(Mahesh Kumar)

Under Secretary to the Govt. of India

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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]