

Deputation/ Foreign Service

APPLICATION

- 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(the post that can be filled through Contract or Deputation or Promotion), 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.
- These instructions cover cases of deputation /foreign service where central Government is either lending authority or borrowing authority or both.

- 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.
- (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.

SCOPE OF THE TERM 'DEPUTATION/FOREIGN SERVICE

- 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 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,

- 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.
- 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.

EXERCISE OF OPTION.

- 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(Central Public Sector Enterprises), this option will not be allowed.
- When he/she receives proforma promotion or is appointed to non-functional selection grade or up-gradation of scale in the parent cadre;
- When he/she is reverted to a lower grade in the parent cadre;
- 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;

- 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.
- The option once exercised shall be final.
- However, the employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same:
 - When he/she receives proforma promotion or is appointed to non-functional selection grade or up-gradation of scale in the parent cadre;
 - When he/she is reverted to a lower grade in the parent cadre;
 - 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;

- 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.
- **Deputation from Central Govt to Central Govt. pay fixation:** If the level of ex-cadre post is higher than that of the parent cadre post, an increment shall be given in the level of parent cadre post and he /she shall be placed at a cell equal to the figure so arrived at in the level of the ex-cadre post, and if no such cell is available in the level of the ex-cadre post, he /she shall be placed at the next higher cell in that level.
- **In case of Foreign service/ Reverse Foreign service:** 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 substantive post in the parent cadre and fix the pay.

DEPUTATION (DUTY) ALLOWANCE

- 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;
- In terms of the DOP&T O.M No. 13024/1/2008-TRg-I dt.05-09-2008 no separate deputation allowance will not be paid to the trainers who are drawing training allowance.

TENURE OF DEPUTATION/FOREIGN SERVICE

- 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.
- 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 6 th 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 7 th 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

- 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:
- 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).
- 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.
- No further extension beyond 7 th year shall be granted.
- Admissibility of Deputation (Duty) Allowance would be only upto fifth year.

COOLING OFF

- 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.

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

OVERSTAY ON DEPUTATION

- 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

Premature reversion of deputationist to parent cadre

- Normally, when an employee is appointed on deputation/ foreign service, his services are placed at the disposal of the parent Ministry/ Department 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 an advance notice of at least three months to the lending Ministry/ Department and the employee concerned.
- RELAXATION OF CONDITIONS:
- Any relaxation of these terms and conditions will require the prior concurrence of the Department of Personnel & training.