

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

North Block, New Delhi.
Dated : 24th September, 2024.

OFFICE MEMORANDUM

Subject: Deputation of Group 'C' employees of the Central Government to the State Governments/Union Territories Admn. – Modification in guidelines - regarding.

The undersigned is directed to invite attention to the consolidated guidelines/instructions dated 28.03.2024 uploaded on the website of the Deptt. of Personnel & Training (DoPT) regulating the 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. In consonance with the provisions governing deputation of Group 'A' officers of the Central Government to ex-cadre posts under State Government/ UT Admn., issued vide this Department's O.M. No.6/8/2023-Pers. Policy (Deputation/Re-employment) Pt. XV dated 15.03.2024 and suitably incorporated in the consolidated guidelines/instructions dated 28.03.2024 referred above, instructions have been issued vide this Department's OM of even number dated 30.08.2024 regulating deputation of Group 'B' employees of the Central Government to the ex-cadre posts under a State Government /UT Administration including PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies under the State Governments/UT Administration.

3. Further to the instructions referred above, it has been decided that the deputation of the employees belonging to Group 'C' Cadres/Posts in the Ministries/Departments/Organisations under the Central Government to the State Governments/UTs Admn. including PSUs/ Autonomous bodies/Statutory Bodies/ Universities/Local Bodies under the State Governments/UTs Admn. shall be regulated by the following instructions/guidelines:

(i) All such cases shall be submitted for consideration and approval of the Competent Authority in the Ministry/Department/Organisation concerned;

(ii) Such deputation will be available to the employees only after completion of nine years of service in parent Cadre.

(iii) However, the employee, after completion of 7 year of service in the Ministry/Department/Organisation, may proceed on deputation to any State of North Eastern Region, UTs of Jammu and Kashmir, Andaman and Nicobar, and Lakshadweep or on foreign service to any entity controlled by and located in these States/UTs.

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(iv) The employees may also go on deputation to any entity controlled by and located in States/UTs on spouse grounds after completion of 6 years in the Cadre.

(v) A request for such deputation will only be entertained by the Cadre Controlling Authority or the administrative Ministry/Department/ Organisation concerned if it is received along with NOC/consent of the borrowing State Government/UT Admn.

(vi) All such cases of deputation to State Governments/UT Admin. 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 Competent Authority.

(vii) 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.

(viii) Employees who are already on deputation may be allowed to complete their full term.

(ix) A request for extension of deputation beyond the initially approved period of deputation (subject to restriction of the overall tenure of deputation of five years) will be entertained by the Cadre Controlling Authority or the administrative Ministry/Department/Organisation concerned, as the case may be, only if it is forwarded along with NOC of the borrowing State Government/ UT Admn, 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 employee shall have to be relieved positively and immediately on completion of the original tenure.

(x) In cases where an employee has completed the approved period of deputation, it would be made clear to the employee concerned and to the Cadre Controlling Authority or the administrative authority concerned that adverse notice will be taken at the time of empanelment and promotion of the employee if he/she continued on such deputation beyond the approved period of deputation.

(xi) 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 Controlling Authority/administrative authority or the employee or both made a request for extension. As such, the employee concerned shall be entitled to draw salary etc. in the borrowing State Government/UT Admn. 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 employee shall not be entitled to draw salary etc. after expiry of the period of deputation. An employee on such deputation shall relinquish charge and get himself/herself relieved on the last day of his/her deputation, if no orders extending his/her deputation by the concerned Cadre Controlling Authority or the administrative authority concerned, as the case may be, are received in the borrowing State Government/UT Admn.

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(xii) An employee 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 Pay & Accounts Office concerned to stop payment of salary to the employee beyond the approved period of deputation.

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

(xiv) In the event the employee 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 he/she re-joins in the parent Cadre.

(xv) The State Governments/UT Admn./ borrowing Organisations are advised to relieve the employee 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.

(xvi) **Grant of leave to the employee on completion of tenure of deputation:** On reversion from such deputation, the employee concerned might be allowed leave not exceeding two months by the concerned borrowing State Government/UT Admn. where the employee was on deputation. The employee concerned should apply for further leave to his/her parent Cadre. Further, such leave is debitible from the leave account of the employee concerned.

(xvii) **Cooling off period:** 'Cooling off' requirement between two spells of deputation shall be governed by the relevant provisions contained in 'Consolidated guidelines on deputation/foreign service for Central Government employees issued vide DOPT's O.M. No.DOPT-1716267915093 dated 28.03.2024.

(xviii) **Relaxation of policy guidelines:**

a. Cases where relaxation of any of the provisions of these guidelines is required will be put up to a designated Committee for a decision as to whether the proposal may be recommended to the Competent Authority for consideration, in relaxation of the existing guidelines.

b. **Composition of the Committee:** The composition of the Committee, constituted to consider such cases of Group 'C' employees of the Central Government, where relaxation of any of the provisions of the policy/guidelines is sought, may be decided by the Cadre Controlling Authority or the administrative Ministry/Department/Organisation concerned, as the case may be.

c. The designated Committee shall consider all such cases of deputation and give its recommendation on the relaxation sought. Cadre Controlling Authority or the administrative Ministry/Department/Organisation, as the case may be, may consider all cases of deputation of Group 'C' employees of Central Government to State Govts. / UTs Admn. involving relaxation of any of these provisions and take an appropriate decision;

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d. The designated Committee shall also review all the cases of deputation involving employees belonging Group 'C' posts/Grades to the State Govts. / UT Admns., where the remaining tenure of the employee on deputation is six months or more, and give its recommendation on his / her continuance till completion of the approved deputation term. The cases recommended by the Committee shall be submitted for consideration and approval of the Competent Authority.

(xix). In terms of clause (v) of this O.M., the designated Committee shall consider all cases seeking extension of deputation term beyond 3 years. Only those cases recommended by the Committee for extension of deputation beyond 3 years, would be placed before the Competent Authority for consideration. As a one time measure, the aforesaid Committee shall also review 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. After review, the Committee shall give its recommendation for continuation of the employee concerned till the end of the term of deputation. Such cases shall thereafter also be submitted for consideration and approval of the Competent Authority.

4. All other instructions /guidelines consolidated vide DoPT's OM and 28.03.2024 shall remain unaltered.
5. These guidelines shall be applicable with immediate effect.
6. Hindi version will follow.

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24.09.2024

(Mahesh Kumar)

Under Secretary to the Govt. of India
Tel: No.011-23040489

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]