

बिहार सरकार

सामान्य प्रशासन विभाग

प्रेषक,

कन्हैया लाल साह,
सरकार के अवर सचिव ।

सेवा में,

महालेखाकार (ले0 एवं ह0), बिहार
महालेखाकार भवन,
वीरचंद पटेल पथ, पटना ।

पटना-15, दिनांक : 6 नवम्बर, 2018

विषय :- बिहार राज्य में प्रतिनियुक्ति के आधार पर कार्यरत केन्द्रीय सिविल सेवा के पदाधिकारियों एवं भविष्य में राज्य में प्रतिनियुक्ति के आधार पर सेवा देने वाले केन्द्रीय सिविल सेवा के पदाधिकारियों की सेवा शर्तों के निर्धारण के संबंध में ।

प्रसंग:- विभागीय पत्रांक-11176 दिनांक-03.08.2015

महाशय,


उपर्युक्त विषयक प्रसंगाधीन पत्र (संलग्न) के संबंध में निदेशानुसार कहना है कि बिहार राज्य में प्रतिनियुक्ति पर आए हुए केन्द्रीय सिविल सेवा के पदाधिकारियों की सेवा शर्तों का निर्धारण विभागीय पत्रांक-11176 दिनांक-03.08.2015 के द्वारा किया गया है ।

2. केन्द्रीय सिविल सेवा के पदाधिकारियों की प्रतिनियुक्ति के संबंध में कार्मिक एवं प्रशिक्षण विभाग, भारत सरकार के कार्यालय ज्ञापन-6/8/2009-ई एस टी टी (पे-II) दिनांक-17.06.2010 के तहत आवश्यक दिशा- निर्देश जारी किया गया है । इसकी कंडिका-8.3.1 (iii) में 05 वर्ष की सीमा के उपरान्त प्रतिनियुक्ति को निषिद्ध किया गया है । परन्तु, कार्मिक एवं प्रशिक्षण विभाग, भारत सरकार के कार्यालय ज्ञापन- 2/6/2016-ई एस टी टी (पे-II) दिनांक-17.02.2016 में शर्तों एवं बंधेजों में ढील देते हुए प्रासंगिक राज्य प्रतिनियुक्ति के लिए गठित बंधेजों और शर्तों में प्रतिनियुक्ति के निमित्त उपबंधित 5 वर्षों की अधिकतम सीमा को विशेष परिस्थिति में 07 वर्षों तक विस्तारित करने का प्रस्ताव दिया गया है । भारत सरकार के उक्त पत्र के अनुरूप बिहार सरकार द्वारा प्रतिनियुक्ति अवधि को 07 वर्षों तक विस्तारित करने की नीति पर कायम है- विभागीय पत्रांक-11176 दिनांक-03.08.2015(संलग्न) ।

3. अतः बिहार राज्य में प्रतिनियुक्ति के आधार पर कार्यरत केन्द्रीय सिविल सेवा के पदाधिकारियों एवं भविष्य में राज्य में प्रतिनियुक्ति के आधार पर सेवा देने आने वाले केन्द्रीय सिविल सेवा के पदाधिकारियों के मामलों में भी सेवा शर्तों का निर्धारण पूर्व में निर्गत विभागीय पत्रांक-11176 दिनांक-03.08.2015 में वर्णित सेवा शर्तों के अनुरूप ही मान्य होगा ।


अनु0:- यथोक्त ।

विश्वासभाजन,


6.11.18
सरकार के अवर सचिव ।

ज्ञापक:- 1/ पी0-10/2009(खंड-II)-सा0 प्र0-14688 पटना-15, दिनांक:- 6 नवम्बर, 2018

प्रतिलिपि: - सभी विभाग, बिहार सरकार, पटना/संबंधित सभी पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।


6.11.18
सरकार के अवर सचिव ।

Letter No.-1/P-10/2009(Part-II)-GAD-11176

Govt. Of Bihar
General Administration Department
Main Secretariat, Patna-800015

From,

Kanhaiya Lal Sah,
Under Secretary to the Government

To,

The Accountant General, Bihar,
Mahalekhakar Bhawan,
Veerchand Patel Path, Patna.

Patna-15, dated-3.8.15

Subject:- Terms & Conditions for officers on deputation to Bihar from the Central Government/Public Sector Undertakings/ Autonomous Bodies etc. - Regulation of pay, Deputation (duty) Allowance, tenure of deputation and other terms & conditions – regarding.

Sir,

The undersigned is directed to refer to the subject mentioned above and to say that the framing of terms and conditions for officers on deputation to the State Government of Bihar from the Central Government/Central Public Sector Undertaking/Autonomous Bodies etc was under the consideration of the State Government and in between, the Department of personnel & Training, Govt. of India vide its O.M.No.6/8/2009-Estt. (pay-II) dated 17th June, 2010, in this matter, issued the consolidated instructions. However, since the local conditions differ from State to State, it was considered imperative to issue the terms & conditions by way of harmonious interpolation of local condition & extant guidelines issued by the Govt. of India. In this context, while framing the terms and conditions applicable to the officers presently on deputation to Government of Bihar, it is reiterated that basic guidelines framed and issued by the Government of India, will remain intact. And, in case of any doubt / clarification /contradiction/ supplementary, the guidelines issued by the DoP& T in their said OM and subsequent amendments, if any, shall be invariably referred to and, thus will have the overriding effect. With such a rider, the terms & conditions, in respect of Shri (I) Dharmendra Kumar Shrivastava, IRSS (86)

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(2) Vinayak Chandra Gupta, IRS(93) (3) Sanjiwan Sinha, IP & TAFS-(94), (4) Sakesh Prasad Singh, ICAS (95) (5) Anirudh Prasad Singh, IP & TAFS-98 (MTNL), (6) Anupam Kumar Suman, IRS (2004) & (7) Ajit Kumar Mishra, IRAS working with Government of Bihar, on deputation, were laid down vide this Department's sanction letter No.1993 dated 17.02.2011 and subsequent letters.

Later on, the terms and conditions in respect of Shri (1)J.K.P. Singh, IRPS(88) (2) Atul Sinha , ITS(90) (3) Sanjay Kumar, CSS(97) & (4) Praveen Kishore, IRS(98) were sanctioned vide this Department's letter No.4493 dated 26.03.2012.

Subsequently, the same terms and conditions in respect of Shri(1)Awadesh Kumar, IP & TAFS-1991, (2) Ganga Kumar, ISS-2000 and (3) Imamuddin Ahmed, IRS-2001(C&CE) (4) Shailesh Thakur, IRS (2004) & (5) Dilip Kumar, ITS (93) were sanctioned vide this Department's letter No.15362 dated 07.11.2012.

Later on, the terms and conditions in respect of Shri (1)Arun Kumar Sinha, ITS(85), (2) Angaraj Mohan, IRPS(86), (3) Shankar Prasad, ITS(91), (4) Ravindra Prasad, ITS(96) & (5) Sanjay Kumar, ITS(97) were sanctioned vide this Department's letter No.9871 dated 27.06.2013.

The same terms & conditions in respect of Shri Pankaj Kumar Singh, IP & T BWS(92) , Shri Bishwa Mohan Patel, ITS(99) & Shri Shashi Bhushan, ICAS(99) who have joined the State Government of Bihar are being laid down hereunder :-

1. Pay fixation

- 1.1** The employee on deputation will draw the basic pay in the parent cadre plus deputation (duty) allowance there on plus personal pay, if any. Pay will be revised in the following situation which will be effective from the date of occurrence of the same-
- (a) When he/she receives Performa Promotion or is appointed to a non-functional Selection Grade or up-gradation of scale in the parent cadre;
 - (b) When he/she is reverted to a lower grade in the parent cadre;
 - (c) When the scale of pay of the parent post on the basis of which his emoluments are regulated during deputation post held by the employee is revised either prospectively or from a retrospective date.
 - (d) In the event of Performa Promotion/appointment to non-functional Selection Grade/revision/up-gradation of scales of pay in the parent

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cadre, his/her pay will be refixed with reference to the revised entitlement of pay in the parent cadre.

2. Deputation Allowance

2.1 The deputation (duty) allowance admissible shall be at the following rates:

- (a) In case of deputation within the same station, the allowance will be paid at the rate of 5% of basic pay subject to a maximum of Rs.2000 p.m; and
- (b) In other cases, Deputation (Duty) Allowance will be payable at the rate of 10% of the employee's basic pay subject to a maximum of Rs.4000/- p.m.
- (c) The deputation (duty) allowance as above shall further be restricted as under:-

Basic pay, from time to time, plus Deputation (Duty) Allowance shall not exceed the maximum of the pay band PB4 (Rs.67000) plus the grade pay of the post held on deputation in case the Grade Pay of the post held on deputation is up to Rs.10000.

- (A) Basic pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay/allowances etc.
- (B) The term 'same station' for the purpose will be determined with reference to the station where the person was on duty before proceeding on deputation.
- (C) where there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned, they would be treated as transfer within the same station.
- (D) In cases where a person on deputation service is transferred by the State government from one station to another without any change in the post held by him, the rate of deputation (duty) allowance will be refixed as per 2.1(b).

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3. **Admissibility of pay/allowances & benefits while on deputation**

3.1 Any project allowance admissible in a project area in the State Government may be drawn in addition to deputation (duty) allowance.

3.2 Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation. No deputation (duty) allowance on this personal pay will however, be admissible.

3.3 **Increments-** The employee will draw increment as he was drawing in the parent cadre grade.

3.4 Following allowances will be paid to them as applicable as admissible to them as per its admissibility of AIS officers working under the State Govt.

- (i) Transport allowance
- (ii) Joining Time and joining Time pay.
- (iii) Travelling Allowances and Transfer T.A.
- (iv) Children Education Allowance.
- (v) LTC
- (vi) Medical Allowance/Facilities.

3.5 Following Allowances will be regulated in accordance with the rules as explained against each.

(i) **Dearness Allowance-** The employee shall be entitled to dearness allowance at the rates prevailing in the parent cadre.

(ii) **Leave-** An officer on deputation shall be regulated by the Leave Rules of the parent organisation. At the time of reversion from the deputation post to the parent cadre, the State Government may allow him/her leave not exceeding two months. The employee should apply for further leave to his Cadre Controlling Authority.

4. **Leave Salary/Pension/NPS contribution.**

(i) As at present, allocation of leave salary and pension contribution between different Ministries/Departments of Central Government and between Central and State Government has been dispensed with. In cases of deputation from Central Government to State Govt. , the liability for bearing leave salary vests with the Department from which the officer proceeds on leave or which sanctioned leave and no

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contributions are payable to the lending organization. In such cases of deputation from Central Government to State Government, liability for pension/employee's contribution to CPF will be borne by the parent department, to which the officer permanently belongs at the time of retirement and no proportionate contribution will be recovered.

- (ii) In cases of deputation from Central Government to State Public Sector Undertakings and Autonomous Bodies etc., leave salary contribution and pension contribution/CPF (Employer's Share) contribution are required to be paid either by the officer himself or by the borrowing organization to the Central Govt.
 - (iii) In cases of deputation from Central Public Sector Undertakings/Autonomous Bodies to State Government, the question regarding liability for leave salary and pension contribution will be decided by mutual consent.
 - (iv) In cases of officers covered under New Pension Scheme (NPS) the borrowing department/organization shall make matching contribution to the NPS account of the officer.
5. **Tenure of deputation:** The period of deputation shall be initially 3 years, extendable up to 5 years but in special circumstances, the State Government may extend this period up to 7 (seven) years.
6. **Premature reversion of deputationist to parent cadre:** Normally, when an employee is appointed on deputation, 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 one month to the lending Ministry/Department and the employee concerned.
7. **Deductions from Salary towards PF, GIS & Instalments towards advances taken from Parent Department:** Unlike deputation from one Central Government Department to another Central Government Departments where the system of book adjustment exists, and the deduction made by the borrowing Department are directly credited to the lending department, no such system exists in the instant case. Hence, there are 2 options.
- 7.1 Either, the deductions are made by the State Government and sent to the parent Department every month through DD.

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- 7.2. Or else, the employee concerned, at his option, furnishes an unqualified undertaking in writing that he/she, on receipt of salary, will make the monthly payment of compulsory subscriptions towards PF, GIS & other advances etc directly to the parent Department under intimation to the concerned DDO of State Government. And, in such a situations, the onus to make the payment in time shall completely lie with the employee concerned and no deduction towards the deductions advised by the parent department shall be made by the State Government.
- 8. **Conduct, Discipline and Appeal Rules:-** The officer will continue to be governed by the All India Service (Conduct) Rules, 1968 and all India Services(Discipline & Appeal) Rules, 1969 or any other relevant rules applicable in parent organization.
- 9. **Long Term Advances:-** The officer will not be entitled to any long term advances i.e. Motor Car Advance, House Building Advance etc.
- 10. **Residuary Matters:-** In all matters related to conditions of service and benefits/facilities and perquisites during the period of deputation in the State Govt. not covered by items 1 to 9 above, the officer shall be governed by the existing other rules, regulations and orders applicable to a member of All India Service serving in connection with the affairs of the Union.
- 11. This issues with the approval of the Finance Department, Govt. of Bihar.

Yours faithfully

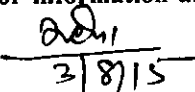

 3/8/15
 (Kanhaiya Lal Sah)

Under Secretary to the Government

/Patna-15, Dated: 3.8.15

Memo No.1/P-10/2009(Part-II)-GAD- 11176

Copy to: All Departments, Govt. of Bihar, Patna/ Shri Pankaj Kumar Singh, IP&T BWS (92), Director, Industries Department, Patna/ Shri Bishwa Mohan Patel, ITS(99), Managing Director, Bihar State Text Book Publishing Corporation Ltd. Patna/ Shri Shashi Bhushan, ICAS(99), Executive Director, Bihar State Labour Welfare Society, Patna/ Shri Hoshiar Singh, Director(Staff), Department of Telecommunications (Ministry of Communications & IT), Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001/ Director (Electrical), Department of Telecommunications (Ministry of Communications & IT), Sanchar Bhawan, 20, Ashoka Road, New Delhi-110001/Shri Manish Kumar, DGM(Pers), BSNL Corporate office, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi-110001/ DDG (TERM), CTO Compound , Behind GPO, Camp, Church Road, Pune-411001/ AGM(Admn.), BSNL, office of Chief General Manager, Telecom, Bihar Circle, Patna-800001/Dy. Controller General of Accounts, O/o Controller General of Accounts, 7 th Floor, Lok Nayak Bhavan, Khan Market, New Delhi-110003 for information and necessary action.


 3/8/15
 Under Secretary to the Government

F. No. 2/6/2016-Estt. (Pay-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
dated 17th February, 2016

OFFICE MEMORANDUM

Subject: Delegation of powers to Ministries / Departments/Borrowing Organisations to extend deputation tenure upto 7 years in cases of Deputations covered by DoP&T's OM No. 6/8/2009-Estt.(Pay-II) dated 17th June 2010 - regarding.

This Department's OM No. 6/8/2009-Estt.(Pay-II) dated 17th June 2010 regulates Pay, Deputation (Duty) Allowance, Tenure of Deputation / Foreign Service and other terms and conditions on the subject of deputation / foreign service of Central Government employees to ex-cadre posts under the Central Government, State Governments, Public Sector Undertakings, Autonomous Bodies, Universities/ Union Territories Administration, Local Bodies etc. and vice-versa (copy enclosed). Subject to its applicability as provided in para 2 of the OM, these instructions cover cases of deputation/ foreign service where Central Government is either lending authority or borrowing authority or both. It provides for duration of maximum Deputation Tenure as 5 years at a stretch. As per para 8.3.1 (iii) of this OM, no further extension beyond the fifth year shall be considered.

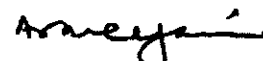
2. Various administrative Ministries/ Departments/ Borrowing Organisations have been approaching this Department for relaxation of the 5 year deputation tenure condition, on case to case basis, citing exigencies, quoting provisions of para 10 of the OM dated 17.6.2010 *ibid*.
3. It has been decided that if the administrative Ministries / Departments and other borrowing organizations wish to retain an officer beyond 5 years, they may extend tenure of deputation covered by OM No. 6/8/2009-Estt.(Pay-II) dated 17th June 2010, where absolutely necessary in public interest, upto 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, UPSC / ACC approval wherever applicable. Thus, no case of extension shall be referred to Department of Personnel & Training, New Delhi.
4. All other terms and conditions issued vide OM No. 6/8/2009-Estt.(Pay-II) dated 17th June 2010 will remain unchanged.

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5. In cases where the necessity to have deputation tenures longer than seven years is felt, the concerned administrative Ministries / Departments/ borrowing organisations 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. It is reiterated that no case for extension beyond five years shall be referred to DoPT.

6. It is also clarified that cases which are not covered by the OM dated 17.6.2010 including those where Central Government is neither lending authority nor borrowing authority, will continue to be decided in terms of the relevant provisions/ rules/ instructions etc. governing them.

7. These orders shall come into effect from the date of issue of this OM.



(Ashok Kumar Jain)
Deputy Secretary (Pay)
Tel. No.: 011-23094542

To

All Ministries/ Departments of the Government of India (As per standard list).

Copy to NIC:

To upload the O.M. on the Department's website in "What's new" and also in "Establishment" sub-head "Deputation".

No. 6/8/2009-Estt. (Pay II)
Government of India
Ministry of Personnel Public Grievances & Pensions
Department of Personnel & Training

New Delhi the 17th June, 2010

OFFICE MEMORANDUM

Subject: Transfer on deputation/foreign service of Central Government Employees to ex-cadre posts under the Central Government/ State Governments/Public Sector Undertakings/Autonomous Bodies, Universities/ UT Administration, Local Bodies etc. and vice-versa – Regulation of pay, Deputation (duty) Allowance, tenure of deputation/ foreign service and other terms and conditions – regarding.

The undersigned is directed to refer to this Department's O.M. No.2/29/91-Estt. (Pay II) dated 5th January, 1994 as amended/ revised from time to time. A need has been felt to consolidate all these orders in one place and accordingly, it has been decided, in consultation with Department of Expenditure, to bring out a self contained O.M. in supersession of OM dated 5.1.94 and subsequent amendments on the subject, incorporating the provisions of earlier orders with suitable modifications, wherever necessary.

2. Application

2.1 These orders will apply to all Central Government employees, who are regularly appointed on deputation/foreign service in accordance with Recruitment Rules of the ex-cadre posts, under the same or some other Departments of Central Government or under the State Governments/ Union Territories Administration/ Local Bodies or under Central/ State PSUs/Autonomous Bodies etc. set up or controlled by Central/State Governments provided the foreign service under such PSUs/autonomous bodies has been permitted in relaxation of appointment on immediate absorption basis. These orders will also cover the cases of regular appointment on deputation/foreign service of employees of State Government/local bodies etc. as well as PSUs/Autonomous Bodies of Central/State Governments as per recruitment rules in the Central Government.

2.2 However, the following cases shall not be covered under these orders for whom separate orders exist:-

- (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 as issued from time to time will 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., in respect of which special orders are already in existence. However, the terms and conditions set out in this O.M. will apply to those cases to the extent these are not specifically covered under such special orders.

(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/organisation or a portion thereof into a PSU/ autonomous body or vice-versa; and (ii) appointments to the same post in another cadre.

3. Scope of Term 'deputation/ foreign service' – Restrictions on treating an appointment as on deputation/ foreign service.

3.1 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 question whether the transfer is outside the normal field of deployment or not will be decided by the authority which controls the service or post from which the employee is transferred.

3.2 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.

(c) Temporary appointment made on the basis of personal requests of employees.

(d) Arrangements necessitated by staff imbalances arising on re-organisation of offices on the same or different stations, subject to the specific condition that no deputation (duty) allowance will be admissible in such cases.

3.3 A person in a higher Grade Pay/scale of pay shall not be appointed on deputation to a post in lower Grade Pay/scale of pay if the deputation is from Central Government to Central Government and also in cases where the scale of pay and dearness allowance in the parent cadre post and ex-cadre post are similar.

3.4 However, no appointment on deputation/foreign service shall be made from/to Central Government/ an organisation where the pay scale and DA in the parent cadre post and ex-cadre post are dissimilar, if the basic pay in the parent cadre increased by one increment plus dearness allowance(s) including interim relief if any, admissible to a person in the parent cadre post exceeds the basic pay plus dearness allowance (s) including interim relief, if any, at the maximum of the pay scale of the ex-cadre post. In the revised pay structure, the maximum of the scale would mean the sum of the Grade Pay of the ex-cadre post and maximum of the Pay Band PB 4 i.e. Rs. 67000. For example, if the ex-cadre post

is in the Grade Pay of Rs. 4200, then the maximum would be Rs. 71200 i.e. Rs. 4200 plus Rs. 67000 (maximum of PB 4).

4. Exercise of option

4.1 An employee appointed on deputation/foreign service, may elect to draw either the pay in the 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 Government employees on deputation/ foreign service to CPSEs, this option will not be allowed and their pay will be governed in terms of the orders issued by Department of Public Enterprises vide OM dated 26.11.2008 and clarifications issued thereafter.

4.2 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.

4.3 The option once exercised shall be final.

4.4 However, the employee may revise the option under the following circumstances which will be effective from the date of occurrence of the same:

- (a)** When he/she receives proforma promotion or is appointed to non-functional selection grade or up-gradation of scale in the parent cadre;
- (b)** When he/she is reverted to a lower grade in the parent cadre;
- (c)** When the scale of pay of the parent post on the basis of 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.
- (d)** Based on the revised/same option of the employee, in the event of proforma promotion/appointment to non-functional Selection Grade/revision/upgradation of scales of pay in the parent cadre, his/her pay will be re-fixed with reference to the revised entitlement of pay in the parent cadre. However, if the initial option was for the pay scale of the deputation post and no change in option already exercised is envisaged, the pay already drawn in deputation post will be protected if the pay re-fixed is less.

Note: Revision in the rates of DA, HRA or any other allowance either in the parent or borrowing organisation shall not be an occasion for revision of the earlier option.

4.5. 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 on the basis of revised pay and in accordance with the revised option or existing option if the employee does not revise his option.

5. Pay fixation

5.1 When an employee on deputation/Foreign Service elects to draw pay in the scale of pay attached to the ex-cadre post, his/ her pay may be fixed as under:

(i) Deputation from Central Government to Central Government

If the scale of pay/Grade Pay of the ex-cadre post is higher, the pay may be fixed after adding one increment to the existing pay in the Pay Band of the parent cadre post. The grade pay corresponding to the ex-cadre post would thereafter be granted in addition to this pay in the pay band. However, in cases where the fixation of pay in the ex-cadre post involves change of Pay Band also, if the pay in the pay band after adding the increment is less than the minimum of the pay band corresponding to the grade pay of the ex-cadre post, the pay in the pay band will be fixed at the minimum of the Pay Band.

In case the Grade Pay/scale of employee's cadre post and the ex-cadre post are identical, the employee would continue to draw his/her existing basic pay.

In case the Grade pay of the ex-cadre post is upto Rs 10000, the Basic Pay, from time to time after pay fixation should not exceed the maximum of the pay band PB-4 (Rs.67000) plus the grade pay of the post held on deputation. In case the ex-cadre post is in the HAG or HAG+ pay scale, the Basic Pay, from time to time after pay fixation should not exceed Rs. 79000 or Rs.80000 respectively.

(ii) In foreign service/ Reverse Foreign Service

(a) when the pay scale of the post in the parent cadre and that attached to ex-cadre post are based on the same index level and the DA pattern is also same, the pay may be fixed as under (i) above.

(b) If the appointment is made to a post whose pay structure and/ or DA pattern is dissimilar to that in the parent organisation, pay may be fixed by adding one increment to the pay in the parent cadre post in the scale of his regular parent post (and if he/she was drawing pay at the maximum of the scale, by the increment last drawn) and equating the pay so raised plus dearness allowance (and additional or ad-hoc dearness allowance, Interim relief etc., if any) with emoluments comprising of pay plus DA, ADA, Interim relief etc., if any, admissible, in the borrowing organisation and the pay may be fixed at the stage in the pay scale of the ex-cadre post at which total emoluments admissible in the ex-cadre post as above equal the emoluments drawn in the cadre.

5.2 In cases of appointment from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the scale of the ex-cadre post, the pay in the second or subsequent ex-cadre post should be fixed under the normal rules with reference to the pay in the cadre post only. However, in respect of appointments to ex-cadre posts carrying Grade Pay identical to that of the ex-cadre post(s) held on an earlier occasion(s), it may be ensured that the pay drawn in subsequent appointment should not be less than the pay drawn earlier.

5.3 In cases of appointments to a second or subsequent ex-cadre post(s) in a higher pay scale/grade pay than that of the previous ex-cadre post, the pay may be fixed with reference to the pay drawn in the cadre post and if the pay so fixed happens to be less than the pay drawn in the previous ex-cadre post, the difference may be allowed as personal pay to be absorbed in future increases in pay. This is subject to the condition that on both the occasions, the employee should have opted to draw pay in the scales of pay/Grade Pay attached to the ex-cadre posts.

Note-1: The term parent post and basic pay means the post held on regular basis in the parent organisation and pay drawn/ admissible in such a post respectively.

Note-2: An officer who may be holding a higher post on adhoc basis in the cadre at the time of proceeding on deputation/ foreign service would be considered to have vacated the post held on adhoc basis and proceeded on deputation/ foreign service from his/her regular post. During the period of deputation/ foreign service, he/she shall earn notional increments in the parent cadre post. On reversion, if he/she is re-appointed to the higher post on regular or adhoc basis his pay will get fixed with reference to the pay admissible in the lower post on the date of such re-appointment. In such cases, if his pay gets fixed at a stage lower than that of his junior(s) who continued to serve in the cadre, no stepping up will be admissible as per extant rules in so far as Central Government employees are concerned. However, if the pay so fixed is less than the pay drawn earlier while holding the post on ad-hoc basis the pay earlier drawn will be protected. Therefore, those Central Government employees who are already holding a higher post on ad-hoc basis or expecting it shortly in the parent cadre may weigh all relevant considerations before opting for deputation/foreign service. This note of caution will be applicable to employees of other organisations wishing to apply for posts on deputation in Central Government, if governed by similar rules in parent organisation.

Note-3: Pay of an officer appointed on deputation/foreign service on adhoc basis pending selection of a regular incumbent may also be regulated in accordance with provisions of Para 5.1 & 6.1 of this O.M.

Note-4: The provisions of this Para as well as Para 6 will not apply to appointments on Personal Staff of Ministers. Such appointments will be regulated by separate specific orders issued by the Government in that behalf.

6. Deputation (duty) Allowance

6.1 The deputation (duty) allowance admissible shall be at the following rates:

- (a) In case of deputation within the same station, the allowance will be paid at the rate of 5% of basic pay subject to a maximum of Rs.2000 p.m.; and
- (b) In other cases, Deputation (Duty) Allowance will be payable at the rate of 10% of the employee's basic pay subject to a maximum of Rs.4000/- p.m.

(c) The deputation (duty) allowance as above shall further be restricted as under:-

Basic Pay, from time to time, plus Deputation (Duty) Allowance shall not exceed the maximum of the pay band PB-4 (Rs.87000) plus the grade pay of the post held on deputation in case the Grade Pay of the post held on deputation is upto Rs 10000. In case the post held on deputation is in the HAG or HAG+ pay scales, the Basic Pay, from time to time, plus Deputation (Duty) Allowance should not exceed Rs. 79000 and Rs.80000 respectively.

Note: Basic Pay in the revised pay structure means the pay drawn in the prescribed pay band plus the applicable grade pay but does not include any other type of pay like special pay/allowance etc.

The rates of deputation (duty) allowance as above shall take effect from 1.9.2008.

Note: 1 The term 'same station' for the purpose will be determined with reference to the station where the person was on duty before proceeding on deputation.

Note: 2 Where there is no change in the headquarters with reference to the last post held, the transfer should be treated as within the same station and when there is change in headquarters it would be treated as not in the same station. So far as places falling within the same urban agglomeration of the old headquarters are concerned, they would be treated as transfer within the same station.

6.2 Special rates of deputation (duty) allowance may be admissible under separate orders in any particular area on account of the condition of living there being particularly arduous or unattractive. Where special rate is more favourable than that given in Para 6.1 above, employees deputed to the area will be given the benefit of the special rate.

6.3.1 If an employee with the permission of the competent authority, proceeds on deputation/foreign service from one ex-cadre post to another ex-cadre post in the same or another organisation without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first one, the rate of deputation (duty) allowance would remain unchanged.

6.3.2 In cases where a person on deputation/foreign service is transferred by the borrowing authority from one station to another without any change in the post held by him, the rate of deputation (duty) allowance will be refixed as per 6.1 (b).

7. Admissibility of pay, allowances & benefits while on deputation/foreign service

7.1 Any project allowance admissible in a project area in the borrowing organisation may be drawn in addition to deputation (duty) allowance.

7.2 Any special allowance granted to an employee in the parent Department under FR 9(25) or a corresponding rule of parent organisation should not be allowed in addition to deputation (duty) allowance. However, the borrowing department may allow in addition to deputation (duty) allowance, under special circumstances, any special allowance attached to

the post held by the employee in his/her parent Department, by suitably restricting the deputation (duty) allowance. This will require the specific and prior approval of Department of Personnel & Training.

7.3 In case special allowance is attached to the scale of pay of the ex-cadre post and the employee has opted to draw pay in that scale, then, in addition to the pay in that scale, he will also be entitled to draw such special allowance. However, such special allowance will not be admissible if he has opted to draw pay in the parent cadre scale/grade pay plus deputation (duty) allowance.

7.4 Personal pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation/foreign service if he/she opts to draw pay in the parent cadre scale/grade pay plus deputation (duty) allowance. No deputation (duty) allowance on this personal pay will however, be admissible.

7.5 Increments - The employee will draw increment in the parent cadre grade or in the scale of pay /grade pay attached to the deputation post as the case may be, depending on whether he has opted for the parent cadre pay plus deputation (duty) allowance or the pay scale /grade pay of the deputation post. If he has opted for pay scale/grade pay of the deputation post, notional increments shall also continue to accrue to him in the post held on regular basis in the parent cadre/ organisation for the purpose of regulation of pay on repatriation to the parent post at the end of the tenure.

7.6 Admissibility of allowances and benefits while on deputation/ foreign service.

(a) Such allowances as are not admissible to regular employees of corresponding status in the borrowing organisation shall not be admissible to the officer on deputation/foreign service, even if they were admissible in the parent organisation.

(b) Following allowances will be regulated with mutual consent of the lending and borrowing organisation:

- (i) HRA/Transport Allowance
- (ii) Joining time and Joining Time Pay.
- (iii) Travelling Allowances and Transfer T.A.
- (iv) Children Education Allowance.
- (v) LTC.

(c) Following allowances/facilities will be regulated in accordance with the rules as explained against each:

(i) Dearness Allowance – The employee shall be entitled to dearness allowance at the rates prevailing in the borrowing organisation or in the lending organisation depending on whether he has opted to draw pay in the pay scale/grade pay of the ex-cadre post or the parent grade plus deputation (duty) allowance.

(ii) Medical Facilities – This will be regulated in accordance with the rules of the borrowing organisation.