

(C O P Y)
No. F.1(6)-E.IV(A)/62
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(Department of Expenditure)

.....
New Delhi-2, the 7th December, 1962.

OFFICE MEMORANDUM

Subject:- Terms of deputation of officers deputed from the Centre to the State Governments and vice versa - Delegation of powers to the Ministries, Heads of Departments, etc.

In the absence of any specific delegation (except) in the case of pay and deputation allowance, delegation in respect of which has been made in this Ministry's Office Memorandum No. F.10(24)-E.III/60, dated the 4th May, 1961) and standard terms, cases of deputation of officers from the Centre to the State and vice versa are being referred to the Ministry of Finance for concurrence at present. The undersigned is directed to say that the matter has been carefully examined and the decisions enumerated in the following paragraphs have been taken in this regard.

2. The system of filling of posts on deputation basis being an expensive one should be resorted to only in exceptional cases and with discretion. Normally, there should be no cases of deputation of ministerial (except in the case of employees of the Accounts Department) and class IV Government servants. The period of deputation should not ordinarily exceed one year at a time and should not normally be extended beyond three years.
3. The fixation of pay of Government servants transferred on 'deputation' in the public interest as defined in this Ministry's Office Memorandum No. F.10(24)-E.III/60, dated the 4th May, 1961 will be governed by the terms of that Office Memorandum including any general or special orders issued under para.1(iii) of that Office Memorandum. In the case of transfers which are not in the public interest, the pay of the officer will be fixed in the scale of the deputation post under the operation of the normal rules. In such cases, if the minimum of the deputation post is substantially higher than the emoluments admissible to him in his parent department/State administrative authorities are expected to invoke the provisions of F.R. 35 and to restrict the pay of the officer suitably and the pay so fixed should be indicated in item 2(ii) of the enclosure (Annexure).
4. The standard terms as given in the Annexure to this Memorandum should normally be allowed to officers deputed from the Centre to the State Governments.

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5. The services of State Government employees may also be obtained for employment under the Central Government on the pattern of similar terms to be mutually settled in consultation with the State Government concerned.

6. The President is further pleased to decide that the power of deputation in respect of non-gazetted Government servants may be exercised by the Heads of Departments and that in respect of Gazetted Government Servants by the Ministries of the Government of India, subject to the condition that the transfer would be on the standard terms as given in the Annexure to this Office Memorandum as referred to above. Cases in which any departure is involved will be required to be referred to the Ministry of Finance.

7. These orders will not apply to officers who are either holding supertime scale posts prior to their transfer or are transferred to supertime scale posts. In such cases, the deputation terms will be settled in consultation with the Ministry of Finance in each case. These orders will not also affect the cases of deputation of Central Government employees to the States and vice versa where some special orders are already in existence.

8. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India who will exercise the powers of an administrative Ministry in this regard.

Sd/-C.R. Krishnamurthi
Deputy Secretary to the Government of India.

To
All Ministries and Departments of the Government of India, etc. etc.

No.F.1(6)-E.IV(A)/62

Copy forwarded to all State Governments and the Accountant General, etc. etc.

Sd/- Bhupinder Singh
Under Secretary to the Government of India.

A N N E X U R E

T O

OFFICE MEMORANDUM NO.F.1(6)-E.IV(A)/62 DATED 7.12.1962

Subject:- Standard Terms of deputation for officers deputed from Centre to the State Governments , etc.

(1) PERIOD DEPUTATION: years from
(date to be given)

(2) PAY: (i) (If the transfer is in the public interest as defined in the Ministry of Finance O.M. No.F.10(24)-E.III/60, dated 4.5.61);

During the period of deputation, Shri..... will have the option either to get his pay fixed in the deputation post under the operation of the normal rules or to draw pay of the post held by him in his parent department plus a deputation (duty) allowance in accordance with and subject to the conditions of the Ministry of Finance Office Memorandum No.10(24)-E.III/60, dated the 4th May, 1961, as modified from time to time and such other general or special orders issued by the Ministry of Finance under para 1 (iii) of that Office Memorandum.

(ii) (If the transfer is not in the public interest).

During the period of deputation Shri..... will be entitled to pay in the scale of the post of Rs..... due under the operation of the normal rules.

(3) DEARNESS ALLOWANCE: Shriwill be entitled to dearness allowance under the rules of the parent Government or under the rules of the borrowing Government according as he retains his scale of pay under the parent Government or he draws pay in the scale attached to the post under the borrowing Government.

(4) LOCAL ALLOWANCES LIKE COMPENSATORY (CITY) ALLOWANCE AND HOUSE RENT ALLOWANCE:

To be regulated under the rules of the borrowing Government.

(5) JOINING TIME PAY & TRANSFER T.A.: He will be entitled to T.A. and joining time both on joining the post on deputation and on reversion therefrom to the parent Government under the rules of the Government to which he is deputed. The expenditure on this account will be borne by the borrowing Government.

(6) T.A. FOR JOURNEY ON DUTY DURING THE PERIOD OF DEPUTATION

To be regulated under the rules of the Government to which he proceeds on deputation.

(7) LEAVE AND PENSION: During the period of deputation on temporary transfer, he will continue to be governed by the leave and pension rules of the parent employer applicable to him before such transfer.

The allocation of leave salary and pensionary charges will be regulated under the rules of allocation contained in Appendix 3 to Account Code, Volume I.

(8) LEAVE TRAVEL CONCESSION: He will continue to be entitled to leave travel concession under the Ministry of Home Affairs Office Memorandum No.43/1/55-Estts.(II)-P.T.II, dated the 11th October, 1956, as amended from time to time and the cost thereof will be borne by the borrowing Government.

In the case of deputation of a State Government servant to the Central Government, he will continue to avail of the leave travel concession on the scale and conditions contained in para.2(d) of Ministry of Home Affairs Office Memorandum No.43/5/57-Estts.(A), dated the 4th September, 1957.

(9) MEDICAL CONCESSIONS: He will be entitled to these concessions under the rules of the borrowing Government.

In the case of deputation of a Central Government servant to a State Government, the State Government concerned may, however, if they so desire, apply the Central Government rules to such a deputationist.

(10) RESIDENTIAL ACCOMMODATION: He will be entitled to residential accommodation according to the rules of the Government to which he is deputed.

No free house or free car will be allowed, nor any conveyance be provided at Government expense, unless such benefits are normally attached as a condition of service to the post to which he is deputed.

(11) The deputation will commence on the date on which he hands over charge of his post under the Government of India and end on the date on which he assumes charge of a post under that Government.