

IMMEDIATE

No.AB.14017/30/2006-Estt.(RR)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

Dated the 29th November, 2006

OFFICE MEMORANDUM 29 NOV 2006

Subject: Implications of overstay while on deputation.

It has been brought to notice of the Government that that even though the terms and conditions of deputation issued by the various Ministries/Departments/Offices specify the period of deputation, there have been a number of cases of overstay without the approval of the competent authority. A number of proposals for regularization of such overstay are also being received for approval by the Competent Authority. It is necessary to ensure that there is no laxity on the part of the controlling authorities in relieving the deputationist and the deputationist should not go by the presumption that he needs to join his parent cadre only after being formally relieved by the borrowing department. It has, therefore, been decided that in future all cases of deputation shall be regulated by the following conditions viz.:-

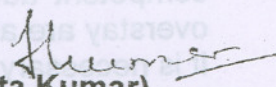
- (i) The terms and conditions of deputation shall clearly lay down not only period of deputation as per the Recruitment Rules for the post or as approved by the competent authority but also the date of relieving of the deputationist. No further orders for relieving the officer will be necessary;
- (ii) The deputationist officer including those who are presently on deputation would be 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 cases where officers are on deputation on the date of issue of these orders and the normal tenures are getting over in a period of six months, the concerned officers/Organisations may be allowed an extension of not more than one month, on a case to case basis with the approval of the DOPT.
- (iii) That in the event of the officer overstaying for any reason whatsoever, he is liable to disciplinary action and other adverse Civil/Service consequences which would include that the period of unauthorized overstay shall not count against service for the purpose of pension and that any increment due during the period of unauthorized overstay shall be deferred, with cumulative effect, till the date on which the officer rejoins his parent cadre.

2. Written consent of the officer concerned shall be taken to the terms and conditions of deputation (inclusive of the conditions in para 1 ibid) before the deputation orders are issued. The contents of these instructions will be conveyed to all officers presently on deputation for information/compliance.

3. These instructions will apply to all deputationists including State Government Officers/All India Services officers joining Central Government posts on deputation and to officers proceeding on deputation to State Government/autonomous & statutory institutions/foreign Bodies, etc.

4. If the borrowing Organisations would like a relaxation from these terms, they should obtain approval of DoPT to it, prior to the start of deputation.

5. Hindi version follows.

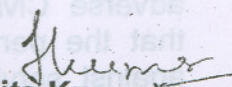

(Smita Kumar)
Director

To

1. All Ministries/Departments of Government of India
2. Chief Secretaries of All State Governments
3. The President's Secretariat, New Delhi.
4. The Prime Minister's Office, New Delhi.
5. The Cabinet Secretariat, New Delhi.
6. The Rajya Sabha Secretariat, New Delhi.
7. The Lok Sabha Secretariat, New Delhi.
8. The Comptroller and Auditor General of India, New Delhi.
9. The Union Public Service Commission, New Delhi.

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5. All Staff Members of National Council (JCM)
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(Smita Kumar)
Director