F. No.2/10/2018-Estt. (Pay-II)
Government of India
Ministry of personnel, public Grievance and Pensions
Department of Personnel and Training
Esst. (Pay) Division
***

North Block, New Delhi
dated : 2.3.2021

OFFICE MEMORANDUM

Subject: Amendment of Para 5 of consolidated guidelines on deputation issued vide OM No.6/8/2009-Estt.(Pay-II) dated 17.06.2010 according to 7th CPC pay structure – regarding.

Department of Personnel and Training's OM No.6/8/2009-Estt. (Pay-II) dated 17th June 2010 regulates the Pay, Deputation (Duty) Allowance, Tenure of Deputation/Foreign Service and other terms and conditions 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. 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.

2.   Para 5 of aforesaid OM dated 17th June 2010 provides the method of pay fixation on deputation from Central Government to Central Government, in foreign service/ Reverse Foreign service.

3.   Consequent upon the implementation of the recommendations of the 7th Central Pay Commission, it has been decided to amend the provisions of Para 5 of this Department's OM No.6/8/2009-Estt. (Pay-II) dated 17th June 2010 with following paras:-

" 5. *Pay fixation*
5.1 When an employee on deputation/ Foreign Service elects to draw pay in the Level (in Pay Matrix) attached to the ex-cadre post, his/her pay may be fixed as under: -

(i)   Deputation from Central Government to Central Government

If the Level (in Pay Matrix) of the ex-cadre post is higher than that of the parent cadre post, an increment shall be given in the Level (in Pay Matrix) of parent cadre post and he/she shall be placed at a Cell equal to the figure so arrived at in the Level (in Pay Matrix) of the ex- cadre post; and if no such Cell is available in the Level (in Pay Matrix) of the ex-cadre post, he/she shall be placed at the next higher cell in that Level.

In case Levels (in Pay matrix) of the ex-cadre post and the parent cadre post of the employee are identical, the employee would continue to draw his/her basic pay.

The basic pay from time to time after pay fixation should not exceed the maximum of the pay in the level of the ex-cadre post.

(ii)   In foreign service/Reverse Foreign Service

(a)   When the Level (in Pay Matrix)/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.

Contd/-

(b)   If the appointment is made to a post whose pay structure and/ or Dearness Allowance (DA) pattern is dissimilar to that in the parent organisation, pay may be fixed by adding one increment to the basic pay of the substantive post in the parent cadre, (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 basic 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/ Level (in Pay Matrix) of the ex-cadre post at which total emoluments admissible in the ex-cadre post as above equal the emoluments drawn in the cadre and if there is no such stage, pay may be fixed at the next higher stage.

In case of reverse foreign service if the appointment is made to post whose pay structure and/or DA pattern is dissimilar to that in the parent organization, the option for electing to draw the basic pay in the parent cadre [along with the Deputation (Duty) Allowance thereon and the personal pay, if any] will not be available to such employee. It is also clarified that Terms and Conditions in case of appointment on deputation made prior to 1.7.2017 shall be continued as per the mutually agreed terms and conditions already set.

(c)   The basic pay from time to time after pay fixation should not exceed the maximum of the pay in the level of the ex-cadre post.
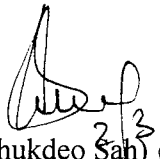
5.2   In cases of appointment from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the Level (in Pay Matrix)/Pay Scale of the ex-cadre post, the pay in the second or subsequent ex-cadre post should be fixed under the normal rules with reference to the pay in the cadre post only. However, in respect of appointments to ex-cadre posts carrying Level (in Pay Matrix)/Pay Scale 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 Level (in Pay Matrix)/Pay Scale 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 Level (in Pay Matrix)/Pay Scale attached to the ex-cadre posts. "

4.   These orders will take effect from 1.1.2016 and shall be applicable to all officers who were on deputation on 1.1.2016 or appointed thereafter except for the revised rates of Deputation (Duty) Allowance which shall be applicable from 01.07.2017.

5.   In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders will apply for deputation outside Indian Audit and Accounts Department as concurred in by the Comptroller and Auditor General of India.

6.   Hindi version will follow.

(Shukdeo Sah)
Under Secretary to the Government of India

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