

No.391-24/2023-STG III
Government of India
Ministry of Communications
Department of telecommunications
419, Sanchar Bhawan, 20, Ashoka Road
New Delhi-110001

Dated: 13 April, 2023

OFFICE MEMORANDUM

Subject – Urgent review of cases of overstay while on deputation — regarding.

The undersigned is directed to refer to DoP&T vide OM dated 23.03.2023 regarding overstay while on deputation (copy enclosed) by which DoP&T has reiterated the following instructions governing tenure of deputation issued vide OMs dated 29.11.2006 and 01.03.2011 for strict compliance:-

- i. The terms and conditions of deputation shall clearly lay down not only the 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 the event of the officer overstaying for any reason whatsoever, he/she is liable to disciplinary action and other adverse Civil Service consequences which would include the period of unauthorized overstay not being counted as qualifying service for the purpose of pension and that any increment due during the period of unauthorized overstay being deferred with cumulative effect, till the date on which the officer rejoins his parent cadre.
- iii. Written consent of the officer concerned shall be taken to the terms and conditions of deputation before the deputation orders are issued.

2. In view of the above, the officers must attach the written consent /undertaking to the terms and conditions of deputation as mentioned in DoPT's OM No. 2/6/2016-Estt. (Pay-II) dated 17.02.2016, OM No. 6/8/2009-Estt.(Pay-II) dated 01.03.2011 and OM No. AB.14017/30/2006-Estt(RR) dated 29.11.2006 as amended from time to time while applying for the post on deputation basis along with their application or in case of extension of deputation period. A copy of format of consent/undertaking is also attached.

3. This may be brought to notice of all ITS officers and the officers responsible for forwarding the applications.

Signed by Bijender Singh

Date: 13-04-2023 10:45:20

(Bijender Singh)
Under Secretary to the Govt. of India
Tele: 011-2303 6226

1. DG(T)
2. CMD BSNL
3. CMD MTNL
4. All the ITS offices – through DoT Website.

Consent form to the terms and conditions of deputation

I (Name, Staff No. and designation) has read and understood the terms and conditions as laid down in DOP&TOM No. 2/6/2016-Estt.(Pay-II) dated 17.02.2016, OM No. 6/8/2009-Estt.(Pay-II) dated 01.03.2011 and OM No. AB.14017/30/2006-Estt(RR) dated 29.11.2006 as amended from time to time and agreed to, if selected for deputation to the post of /deputation period is extended.

Signature
(Name of Officer)

No. 2/6/2023-Estt.(Pay-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated the 22nd March, 2023

OFFICE MEMORANDUM

Subject: Urgent review of cases of overstay while on deputation – regarding.

Reference is invited to the instructions issued vide Department of Personnel & Training (DoPT)'s OM No. AB. 14017/30/2006-Estt.(RR) dated 29.11.2006 and OM No. 6/8/2009-Estt.(Pay-II) dated 01.03.2011 with the aim to curb the cases involving overstay beyond the approved term of deputation.


2. In this connection, it is pertinent to mention that in relaxation of the provisions governing the tenure of deputation/foreign service indicated in DoPT's OM No. 6/8/2009-Estt.(Pay-II) dated 17.06.2010, this Department had, vide OM No. 2/6/2016-Estt.(Pay-II) dated 17.02.2016, conferred the powers to extend the tenure of deputation, where absolutely necessary in public interest, to the borrowing organizations up to a period not exceeding 7 years at a stretch with the approval of the Minister of their administrative Ministry / Department concerned. However, in spite of relaxation allowed in the provisions governing tenure of deputation / foreign service, proposals continue to be received in this Department for regularization of the period of overstay beyond the approved term of deputation.

3. In view of the above, the following instructions governing tenure of deputation / foreign service issued vide this Department's OMs dated 29.11.2006 and 01.03.2011 are reiterated for strict compliance -

- i. The terms and conditions of deputation shall clearly lay down not only the 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 the event of the officer overstaying for any reason whatsoever, he/she is liable to disciplinary action and other adverse Civil Service consequences which would include the period of unauthorized overstay not being counted as qualifying

service for the purpose of pension and that any increment due during the period of unauthorized overstay being deferred with cumulative effect, till the date on which the officer rejoins his parent cadre.

- iii. Written consent of the officer concerned shall be taken to the terms and conditions of deputation before the deputation orders are issued.
4. It is primarily the responsibility of the borrowing organizations to ensure that deputationists are relieved on the date of expiry of their deputation tenure. Any proposal for extension of the tenure of deputation under rules should be initiated sufficiently before the expiry of the tenure. Besides, the responsibility rests with the deputationist and the lending organizations as well, to bring to the notice of the borrowing organization about the expiry of the deputation tenure.
5. Ministries/Departments are advised to circulate above instructions to all officers presently on deputation and offices administering the deputation cases for information and strict compliance.
6. Ministries/ Departments may also review status of all the deputation cases and avoid delayed closure of cases involving overstayed beyond approved term of deputation in favour of delinquent officials.



(Shukdeo Sah)

Under Secretary to the Government of India
Tel: 011-23040489

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All Ministries/Departments of Government of India – through DoPT's website.

Copy to Joint Director (OL), DoPT, North Block, New Delhi - for Hindi version of this OM.



(Shukdeo Sah)

Under Secretary to the Government of India