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MASTER CIRCULAR

Master Circular No. 57

Deputation

DEPUTATION

Consolidation of Instructions.

Consolidation of Instructions.

DEPUTATION

Subject : Transfer on deputation of Railway employees to ex-Cadre posts under Central/State Government, Public Sector Undertakings/ Autonomous Bodies, Universities, U. T. Administrations, Local Bodies and vice versa, Regulation of pay, deputation (duty) allowance, tenure of deputation/ foreign service and other terms and conditions- regarding.

Application:-

These orders will apply to all Central Govt. employees including Railway 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. (where such foreign service has been permitted in relaxation of appointment on immediate absorption conditions). These orders will also cover the cases of regular appointment as per Recruitment rules in the Central Government on deputation/foreign service of employees of State Governments/ Central/ State PSUs/ Autonomous bodies, Local Bodies etc. 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 in the Central Secretariat such as Under Secretary, Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary etc. for whom separate orders as issued from time to time will continue to apply;
- c. Deputation to posts outside India;
- d. Appointments of a specific category or employees to a specified class of posts where special orders are already in existence such as appointments made in the Personal staff of Ministers etc., to the extent the provisions contained therein are at a variance with those contained in these orders;
- e. Appointments of the nature of deemed deputation or transfers to ex-cadre posts made in exigencies of services with the specific conditions that no deputation (duty) allowance to 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.

2 Scope of Term 'deputation/foreign service' - Restrictions on treating an appointment as on deputation/foreign service.

2.1 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 the 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.

2.2 Appointment of serving employees made either by promotion or by direct recruitment with open market candidates whether on permanent or temporary basis shall not be regarded as deputation/ foreign service.

2.3 Permanent appointments made by transfer will also not be treated as deputation/ foreign service.

2.4 Temporary appointment made on the basis of personal requests of employees will also not be treated as deputation/ foreign service.

2.5 In case of appointments on deputation/ foreign service from Central Government to Central Government and in those cases where the scale of pay and dearness allowance in the parent cadre post and ex-cadre post are similar, a person in a higher scale of pay shall not be appointed on deputation to a post in a lower scale of pay.

2.6 In case of appointment of deputation/ foreign service from Central Government to Public Sector Undertaking and in those cases where the pay scale and DA in the parent cadre post and ex-cadre post are dissimilar, no appointment/ foreign service shall be made if by raising the grade pay by one increment plus dearness allowance(s) including interim relief, if any, admissible to a person in parent cadre post exceeds the emoluments comprising pay plus dearness allowance(s) including interim relief, if any at the maximum of the ex-cadre post.

3 Exercise of option

3.1 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 basic pay in the parent cadre plus deputation (duty) allowance thereon plus personal pay, if any.

3.2 The borrowing authority should 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.

3.3 The option once exercised shall be final. However, the employees may revise the option under the following circumstances which will be effective from the date of occurrence of the same.

- a. when he receives proforma promotion or is appointed to non-functional selection grade in his parent cadre.
- b. When he is reverted to a lower grade in his 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 employees, in the event of proforma promotion appointment to non-functional Selection Grade revision

of scales of pay in the parent cadre, the pay of deputationists will be refixed 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 refixed is less.

NOTE:-- Revision in the rates of DA, HRA or other allowances either in the parent or borrowing organization shall not be on occasion for revision of the earlier option.

3.4 If the pay of an employee in his cadre post under-goes downward revision, the pay in the ex-cadre post is also liable to be re-fixed in the basis of revised pay and in accordance with the revised option or existing option if the employee does not revise his option.

4 Pay Fixation:--

4.1 When an employee on deputation/foreign service elects to draw pay in the scale of pay attached to the ex-cadre post, his pay may be fixed as under :

i. Deputation from Central Govt. to Central Govt.

Pay may be fixed under normal rules.

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 same index level and DA pattern is also same, the pay may be fixed under the normal fundamental Rules.

b. If the appointment is made to a post whose pay structure and/or DA pattern is dissimilar to that in the parent organization, pay may be fixed by adding to his grade pay, one increment in the scale of his regular parent post (and if he 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 admissible in 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.

iii. Pay fixed under (i) and (ii) shall neither be less than the minimum of the scale of the ex-cadre post nor shall it exceed the maximum of that scale.

4.2 In cases of appointments from one ex-cadre 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 rule as with reference to pay in the cadre post only. In respect of appointments to ex-cadre posts on time scale of pay identical with the time scale of pay of ex-cadre post held on an earlier occasion(s) the benefit of proviso I (iii) to FR 22 will be admissible.

4.3 In cases of appointment to a second or subsequent ex-cadre post(s) in a higher 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 employees should have opted to draw pay in the scales of pay attached to the ex-cadre post.

Note: 1 The term parent post 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 ad-hoc basis in the cadre at the time of proceeding on deputation/foreign service would be considered to have vacated the post held on ad-hoc basis and proceeded on deputation/ foreign service from his regular post. During his deputation/ foreign service, he shall earn notional increments, in his regular post only. On his reversion if he is re-appointed to the higher post on regular or ad-hoc basis his pay will get fixed w.r.t. the pay admissible in the lower post as on date of promotion. 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 Govt. 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 Govt. employees who are already holding a higher post on ad-hoc basis on or expecting it shortly in the parent cadre may weight all the relevant considerations before opting for deputation/foreign service This note of caution will be applicable to employees of other organizations wishing to apply for posts on deputation in Central Govt. if governed by similar rules in parent organization .

Note : 3 Pay of officer appointed on deputation/ foreign service on ad-doc basis pending selection of a regular incumbent may also be regulated in accordance with provisions of para 4.1 & 5.1 subject to the condition that if the said officer does not fulfill the eligibility conditions laid down in the Recruitment Rules of the ex-cadre post, his pay in the scale of the ex-cadre post, if so opted, shall be subject to the restrictions under FR 35. Where the Recruitment Rules of the post have not been notified such restrictions may be enforced if he is ineligible to hold a post in equivalent/ analogous grade in his own cadre. This will also cover appointments on personal staff of dignitaries other than Ministers who have been allowed to make appointments of their personal staff at their discretion.

Note : 4 The provisions of this Rule as well as Rule 5 will not apply to appointments on Personal Staff of Minister. Such appointment will be regulated by separate specific order issued by the Govt. in that behalf.

5 Deputation (duty) allowance:

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

- a. 5% of the employee's basic pay subject to a maximum of Rs.500/- p.m. when the transfer is within the same station;
- b. 10% of the employee's basic pay subject to a maximum of Rs.1000/- p.m. in all other cases;

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

- i. Pay Plus Deputation (duty) Allowance does not exceed the maximum of scale of pay of ex-cadre post,
- ii. In the cases where pay scales are dissimilar then pay plus deputation (duty) allowance plus DA/ADA/IR etc. does not exceed the pay at the maximum of ex-cadre post plus DA & IR etc. thereon.
- iii. Pay plus deputation (duty) allowance as above shall at no time exceed Rs. 22,400/- p.m.

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

NOTE: 2 When 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.

5.2 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 under para 5.1 above, employees deputed to the area will be given the benefit of the special rate.

5.3 Whenever extension of the period of deputation for the fifth year or the second year in excess of the period prescribed in the Recruitment Rules is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance. The officers who opted to draw pay in the scale of the ex-cadre post shall however continue to draw pay in that scale during the extended tenure also.

5.3 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 organization without reverting to his parent cadre, and if the second ex-cadre post is at the same station as the first ex-cadre post, then the rate of deputation (duty) allowance would remain unchanged.

5.4 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 remain the same as was decided at the time of initial posting and will not undergo any change.

6 Admissibility of other pay allowances and benefits while on deputation/ foreign service.

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

6.2 Any special pay granted to an employee in the parent department under FR 9 (25) or a corresponding rule of parent organization 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 pay 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.

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

6.4 Personal Pay, if any, drawn by an employee in his parent department will continue to be admissible on deputation/foreign service if he opts to draw grade pay plus deputation allowance. No deputation allowance on this personal pay will however, be admissible.

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

6.6 Admissibility of allowance and benefits while on deputation /foreign service.

- a. Such allowances as are not admissible to regular employees of corresponding status in the borrowing organization, shall not be admissible to the officer on deputation/foreign service, even if they were admissible in the parent organization.
- b. Following allowances will be regulated with mutual consent of the lending and borrowing organization :
 - i. HRA/CCA
 - 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 organization or in the lending Organisation depending on whether he has opted for to draw pay in the time scale of the ex-cadre post or his own grade pay plus deputation (duty) allowance.
 - ii. Medical Facilities- This will be regulated in accordance with the rules of borrowing Organisation.
 - iii. Leave- An officer on deputation/ foreign service shall be regulated by the leave Rules of the parent Organisation. If however, an employee proceeds from vacation department to non-vacation department, or vice-versa, he shall be governed by leave Rules of the borrowing organization. At the time of reversion from the deputation post to the parent cadre, the borrowing organization may allow him/her leave not exceeding two months. The employee should apply for further leave to his cadre controlling authority.

6.7 Leave, Salary and Pension Contribution:

- i. As at present allocation of leave salary and pension contribution between different Ministries/ Departments of Central Government and between Central and State Governments has been dispensed with. In such cases of deputation from Central Government to State Government and vice-versa, liability for bearing leave salary vests with the department from which the officer proceeds on leave or which sanctions leave and no contributions are payable to the lending organization. Liability for pension/employee's contribution to GPF 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 case of deputation of Central Government employees on foreign services to Central Public Sector Undertakings/ State Public Sector Undertakings and Autonomous Bodies etc. leave salary contribution (except for the period of leave availed on foreign service) and pension Contribution/GPF (Employers share) contribution are required to be paid either by the employee himself or by the borrowing organization to the Central Government.
- iii. In case of reverse deputation from Central Public Sector Undertakings/State Public Sector Undertakings/Autonomous Bodies to Central Government the question regarding leave salary and pension contribution will be decided by mutual consent.

7 Tenure of deputation /foreign service:

7.1 The period of deputation/ foreign service shall be subject to a maximum of three years in all cases except for those posts where a longer period of tenure is

prescribed in the Recruitment Rules.

7.2 The Administrative Ministry/borrowing organization may grant extension beyond this limit upto one year, after obtaining orders of their Secretary (in the Central Govt. and Chief Secretary in the State Govt.) Equivalent level officer in other cases where such extension is considered necessary in public interest.

7.3 The borrowing Ministries/ Departments/ Organisations may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the Recruitment Rules where absolutely necessary, subject to the following conditions.

- i. While according extension for the fifth year, or the second year in excess of the period prescribed in the Recruitment Rules, the directive issued for rigid application of the tenure rules should be taken into consideration and only in rare an exceptional circumstances such extension should be granted.
- ii. The extension should be strictly in public interest and with the specific prior approval of the concerned Minister of the borrowing Ministry/Department and in respect of other organization, with the approval of the Minister of Ministry/Department with which they are administratively attached.
- iii. Where such extension is granted it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.
- iv. The extension would be subject to the prior approval of the lending organization, the officer on deputation, and wherever necessary, the UPSC/State Public Service Commission Appointments Committee of the Cabinet (ACC).
- v. If the borrowing organisation wishes to retain an officer beyond the prescribed tenure, it shall initiate action as above for seeking concurrence of lending organization, individual concerned etc. 6 months before the date of expiry of tenure. In no case it should retain an officer beyond the sanctioned term unless concurrence of lending organization has been received.

NOTE: For extension of foreign service of Central govt. Officers to Public Sector Undertakings beyond 3 year, approval of ACC would be necessary in terms of instruction of Department of Public Enterprises on the subject.

7.4 In cases where extension is beyond the fifth year or second year in excess of the period prescribed in the Recruitment Rules, the same would be allowed only after obtaining the approval of the Department of Personnel and Training. Whether Central Govt. is the lending Organisation or the borrowing organization, proposal in this regard should reach this Department with the approval of the Minister of the borrowing Department at least three months before the expiry of the extended tenure with full particulars. A [check-list](#) for such particulars is annexed.

7.5 When extension of period of deputation/foreign service for the first and the second year in excess of period prescribed in the Recruitment Rules is considered by the borrowing organization under powers delegated to them, the period for extension may be so decided upon so as to ensure that officer concerned is allowed to continue on deputation till the completion of academic year in cases where are the officer has school/college going children . No proposal for further extension beyond the second year in excess of period prescribed in the RRs shall be forwarded to this Department on the consideration that the officer has school/college going children. Extension beyond this period will be considered only if it is strictly in public interest.

7.6 For computing the total period of deputation/foreign service the period of deputation/foreign service in another ex-cadre post(s) held preceding the current appointment without break in the same or same other organization shall also be taken into account.

7.7 If during the period of deputation/foreign service the basic pay of an employee exceeds the maximum of the scale of pay of the post or the fixed pay of the post, on account of proforma promotion in his cadre under the Next Below Rule or otherwise, the deputation/foreign service of the employee should be restricted to a maximum period of six months from the date on which his pay exceeds such maximum and he should be reverted to his parent department within the said period.

7.8 If during the period of deputation, on account of proforma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to scale of pay higher than the scale of pay attached to the ex-cadre post, he may be allowed to complete the normal tenure of deputation subject to 7.7 above but no further extension of the period of deputation should be allowed in such cases.

8 Premature reversion of deputationist to parent cadre.

Normally, when employee is appointed on deputation/foreign service, 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 advance intimation of reasonable period to the lending Ministry/Department and the employee concerned.

9 Relaxation of conditions.

Any relaxation of these terms and conditions will require the prior concurrence of the Department of Personnel & Training.

Authority : Railway Board's Letter No. (i) [F\(E\)II/94/DE/1/1 dated 5.12.94](#) (RBE 110/94),
(ii) [F\(E\)II/98/DE/1/1 dated 25.3.98](#) (RBE 64/98),
(iii) [F\(E\)II/94/DE/1/1 dated 24.12.98](#) (RBE 285/98).

ANNEXURE

Check -List (Vide Para 7.4)

- 1. Name of the officer.**
- 2. Name of the parent office.
Designation of the post held in parent office & pay scale of that post.**
- 3. Present basic pay in the parent cadre post.**
- 4. Designation & pay scale of the post held on Deputation and the present basic pay in the ex-cadre post.**
- 5. Has the officers been given NBR proforma Promotion/ ?. If so, pay scale of the post to which promoted.**
- 6. Normal period of deputation prescribed in Recruitment Rules for the ex-cadre post.**
- 7. Date of appointment on deputation.**

8. Is the officer drawing grade pay + d(d) a ? If so, has the d(d)a been stopped during the 5th year/2nd year in excess of the period prescribed in the Recruitment rules.
9. Whether the extension for 1st Year/2nd year in excess of Period prescribed in the RRs of the post has been given with the approval of the Secy. And Minister incharge of the administrative Ministry/Department respectively.
10. Does the proposed extension also requires the Approval of UPSC/ACC ?
11. what is the specific public interest involved in the proposed extension?
12. Whether the concurrence of lending organization/ individual concerned has been obtained for the proposed extension?
13. Efforts made to select a suitable replacement for the officer?
14. According to Recruitment Rules can the post be filled up by promotion? If so, are there any eligible officers available from the feeder cadres (if there is one) and if so, why are they Not being considered for promotion instead of seeking Further extension for existing incumbent?
15. Any other relevant information considered necessary

Signature and designation of
Administrative Authority

Important Letters on the Subject

1. Deputation (Duty) Allowance

[F\(E\)II/98/DE/1/1 dated 25.3.98](#) (RBE 64/98)

[F\(E\)II/98/DE/1/1 dated 2.2.99](#) (RBE 15/99)

2. Daily Allowance for journeys on Duty in various countries.

[F\(E\)II/2000/AL1/1 dated 24.10.2000](#) (RBE 187/2000)

[F\(E\)II/2000/AL1/1 dated 12.06.2001](#) (RBE 107/2001)

Further to [Master Circular No. 40](#) of 1991, regarding deputation/secondment of non-gazetted Railway employees outside the Railways, it has now been decided to supplement the earlier instructions with policy directives regulating terms and conditions for deputation to various organisations. Accordingly consolidated instructions on the subject in the form of Master Circular are enclosed for information and guidance of all concerned.

The orders issued by Ministry of Finance / Deptt. of Public Enterprises apply mutatis mutandis to Railway employees proceeding on deputation to PSUs Autonomous Bodies etc. whereas orders issued by Ministry of Personnel (Deptt. of Personnel & Training) are applicable mutatis mutandis to Railway employees on deputation to various ex-cadre posts, under the Central Government and other International Bodies etc.

While referring to this Circular, the Original Letters referred to, should be read for a proper appreciation. This circular is only a consolidation of the instructions issued so far and should not be treated as a substitution to the originals. In case of doubt, the original circular should be relied upon as authority.

The instructions contained in the original circulars referred to have only prospective effect from the date of issue, unless specified otherwise in the original circular. For dealing with old cases, the instructions in force, at the relevant point of time, should be referred to.

If any circular on the subject which has not been superseded, has not been taken into consideration while preparing this consolidated letter, the said circular which has been missed through oversight, should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of Railway Board.

In consolidating instructions, reliance has been placed on the letters shown in the annexure.

DEPUTATION

The term 'deputation' covers wide range of deployments/assignments, made of Government employees by transfer on a temporary basis to other Governments Departments, State Governments, Autonomous Bodies, Public Sector Undertakings, Companies, Corporations, Municipalities, Universities, Consultancy Organisations in Public/Private Sector, Private Organisations, United Nations and other International Agencies like World Bank, Asian Bank, Escap etc. and deputations out of India, Deputations to PSUs, Autonomous Bodies, Local Bodies, Universities are on foreign service terms. The terms regulating various deputations are given hereunder.

1. Terms and conditions for transfer on deputation of Central Government Employees to ex-cadre posts under the Government -

(D.O. P.T.'s O.M. No. 2/12/87-Estt. Pay II dated 29.04.1988 & 11.09.1989 forwarded under Cover of Board's letters No. of [F\(E\)II/88/DE1/1 dated 17.02.1989](#) [RBE 48/1989] and [01.11.1989](#) [RBE 268/1989].

2. Application -

- 2.1. These orders apply to all Central Government employees who are regularly appointed on deputation in accordance with the provisions of the relevant recruitment rules to hold posts in the Central Government except in the following cases, viz:

- 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 in the Central

Secretariat such as Under Secretary, Deputy Secretary, Director, Joint Secretary, Additional Secretary, Secretary, etc. for whom separate orders as issued from time to time will continue to apply.

c. Deputation to posts outside India, and

d. Appointments of a specific category of employees to a specified class of posts where special orders are already in existence such as appointments made in the personal staff of Ministers etc. to the extent the provisions contained therein are at variance with those contained in these orders.

3. Scope of Admissibility

3.1 The term 'deputation' will cover only appointments made by transfer on a temporary basis to other posts in the same or other departments/offices of the Central Government provided the transfer is outside the normal field of deployment and is in the public interest.

3.2 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 the post from which the employee is transferred.

3.3 Appointments of serving Government servants made either by promotion or by direct recruitment with open market candidates whether on a permanent or temporary basis will not be regarded as 'deputation'.

3.4 Permanent appointments made by transfer will also not be treated as 'deputation'.

3.5 Temporary transfers made on the personal requests of employees otherwise than in public interest will also not be treated as 'deputation'.

4. Exercise of Option

4.1 An employee on deputation may elect to draw either the pay in the scale of pay of the deputation post or his basic pay in the parent cadre plus personal pay, if any, plus deputation (duty) allowance. In no case will the pay so fixed be less than the minimum of the scale of the ex-cadre post.

4.2 The borrowing authority should obtain the option of the employee within a period of one month from the date of joining the ex-cadre post.

4.3 The option once exercised shall be final. However, the employee may review the option under the following circumstances –

a. When he receives proforma promotion in his parent cadre under the Next Below Rule.

b. When he is reverted to a lower grade in his parent cadre.

c. When he is appointed to another grade in the borrowing organisation, and

d. when the scale of pay of the cadre post on the basis of which his emoluments are regulated during the deputation or of the ex-cadre post held by the employee on deputation is revised either with retrospective effect or from a prospective date.

5. Pay Fixation

5.1 When an employee on deputation elects to draw pay in the scale of pay attached to the ex-cadre post, his pay may be fixed under the normal rules with reference to his pay in the cadre post to which he has been appointed on a regular basis. While fixing his pay in the ex-cadre post under the normal rules, the restrictions under FR 35 as well as the orders

under that FR will not apply. In other words, in no case will the pay of the employee be fixed at a stage less than the minimum of the scale of the ex-cadre post.

- 5.2 In cases of appointment/ promotion from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in scale of pay of ex-cadre post, the pay in the scale of the second or subsequent ex-cadre posts shall be fixed under the normal rules with reference to pay in the cadre post only. In respect of appointments to ex-cadre po**