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GOVERNMENT OF HIMACHAL PRADESH  
FINANCE (REGULATIONS) DEPARTMENT

NO. FIN(C)B(12)-4/96, DATED THE

8<sup>th</sup> SEPTEMBER, 2006.

OFFICE MEMORANDUM

SUBJECT:- TRANSFER ON DEPUTATION / SECONDMENT / SERVICE OF STATE GOVERNMENT EMPLOYEES TO EX-CADRE POSTS.

The undersigned is directed to invite a reference to this department's Office Memorandum of even number dated 20<sup>th</sup> February, 1999 and subsequent amendments issued by this department and Department of Personnel to above Office Memorandum and to say that in terms of provisions of para-8 of above O.M., cases for extension in deputation / secondment / foreign service after 5<sup>th</sup> year are required to be sent to Finance Department / Department of Personnel. Matter relating to delegation of powers for allowing extension in deputation / secondment / foreign Service beyond 5<sup>th</sup> year to the Administrative Departments was receiving attention of the Government for some time past. It has now been decided that henceforth cases for extension in deputation / secondment / foreign service beyond 5<sup>th</sup> year or for the period second year in excess of the period prescribed in R&P Rules will be decided at the level of Administrative Department. As a result of above delegations, para-8 of the Office Memorandum dated 20<sup>th</sup> February, 1999 is amended / substituted as given below:

8. TENURE OF DEPUTATION/SECONDMENT) / FOREIGN SERVICE

The period of deputation / secondment / 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.

In case the services of incumbent are required by the borrowing organization in public interest beyond above period, the Administrative Department / borrowing organization may grant extension

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limit upto one year in normal course. Such extension will be allowed after getting approval of concerned Administrative Secretary (in the case of State Government) and in respect of all other cases, equivalent level, where such extension is considered necessary in public interest.

8.3 In exceptional cases, where the services of incumbent are still required beyond 4<sup>th</sup> year or for the second year in excess of the period prescribed in the Recruitment and promotion rules absolutely in public interest, the borrowing departments / organisations, after prior consultations with the lending departments will consider allowing extension on year to year basis. Such extension will however, be subject to following conditions:

8.3.1 While according extension for the fifth year or the second year in excess of the period prescribed in the R&P Rules the directive issued for rigid application of tenure rules should be taken into consideration and only in rare and exceptional circumstance, such extension should be granted.

8.3.2 The extension should be strictly in public interest and with the specific prior approval of the concerned Minister of the borrowing Department and in respect of other organization, with the approval of Minister of the Department with which they are administratively attached.

8.3.3 Where such an extension is allowed, it would be on the specific understanding that officer would not be entitled to draw any deputation (duty) allowance.

8.3.4 The extension would also be subject to prior approval of the lending organization, the officer on deputation/secondment/foreign service and wherever necessary, the State Public Service <sup>Commission</sup> /UPSC.

8.3.5 If the borrowing organization wishes to retain an officer beyond the prescribed tenure, it shall initiate action as above

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for seeking concurrence of lending organization, concerned and Public Service Commission / UPSC etc. atleast 6 months before the date of expiry of tenure. In no case, the incumbent should be retained in the borrowing organization beyond the sanctioned term unless prior sanction of above authorities is obtained.

8.3.6 While processing the cases of extension beyond 4<sup>th</sup> year, concerned Administrative Department will also put up relevant information on the Annexure (Check list) to the concerned Administrative Secretary / Minister-in-charge.

8.4 When extension of the period of deputation / secondment / foreign service for the first and second year in excess of the period prescribed in the Recruitment Rules or beyond normal tenure is considered by Administrative Departments under the powers delegated to them, the period of extension may be so decided upon so as to ensure that the officer concerned is allowed to continue on deputation / secondment / foreign service till the completion of academic year in cases where the officer has school / college going children. Extension beyond this period may be considered only if it is strictly in public interest.

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

8.6 If during the period of deputation / secondment / 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 parent cadre under the Next Below Rule or otherwise, the deputation / secondment / foreign service of the employee should be restricted to a maximum period of six months from the date on which

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his pay exceeds such maximum and he should be reverted to parent department within the said period.

8.7 If during the period of deputation / secondment / foreign service, on account of proforma promotion in the parent cadre under the Next Below Rule, the employee becomes entitled to a 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 / secondment / foreign service subject to 8.6 above but no further extension in the period of deputation / secondment / foreign service should be allowed in such cases.

Additional Secretary (Finance) to the Government of Himachal Pradesh

To

All Administrative Departments of the Government of Himachal Pradesh.

NO. FIN(C)B(12)-4/96, DATED THE 8<sup>th</sup> SEPTEMBER, 2006.

Copy to:

1. All Divisional Commissioners in Himachal Pradesh.
2. All Heads of Departments in Himachal Pradesh.
3. All Boards/Corporations/Universities in Himachal Pradesh.
4. The Accountant General(Audit), H.P.Shimla-171003 (5 copies)
5. The Dr. Dy. Accountant General(A&E), H.P.Shimla-171002.(%copies)
6. All Deputy Commissioners in Himachal Pradesh.
7. The Registrar, H.P.High Court, Shimla.
8. All District and Session Judges in Himachal Pradesh.
9. All District Treasury Officers/Treasury Officer in Himachal Pradesh
10. Guard Files/Spare copies---100.

Additional Secretary (Finance) to the Government of Himachal Pradesh.

Copy also forwarded for information to:-

1. The Deputy Secretary to the GOI, Ministry of Personnel, P.G.& Pensions ( Department of Personnel and Training), New Delhi.
2. The Controller, Department of Personnel(Accounts), H.P.Shimla-2 with 2 copies.
3. The Department of Personnel(Appointment-II) with 5 copies
4. The Director of Public Relations, H.P.Shimla.