

No. : 5-1(92)/2010-PD

30.10.2023

Dated _____

From : Joint Secretary (Admn.)

To : The Directors/Heads of all CSIR National Labs./Instts./Hqrs./Units

Sub.: Transfer on deputation/foreign service of members of All India Services/members of Organised Group 'A' and Group 'B' Services of Central Government - reg.

Sir / Madam,

I am directed to forward herewith Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training OM No. 2/2/2023-Pers.PoI.(Pt.15) dated 08.08.2023 and OM No. 14017/02/2022-AIS-II(Pension) dated 17.08.2022 on the above mentioned subject for your information, guidance and compliance with a request that all existing appointments of All India Services/Central Government Group 'A' and Group 'B' Services on 'loan/bilateral arrangement' basis, if any, shall be terminated and such officers so appointed shall be repatriated to the parent cadre/organization with immediate effect. Further, all CSIR-Labs./Instts are requested to forward the compliance report to CSIR within 7 day from issuance of this letter for its onward transmission.

2. I am also directed to inform you that it has been decided that-

a. Henceforth, no appointment shall be made on loan basis or bilateral arrangements or any other informal basis in CSIR and for any appointment in CSIR without 'No Objection' from respective Cadre Controlling Authorities, the officer concerned shall also be liable to disciplinary action under relevant rules; and

b. The existing appointments of council employees, if any, on loan basis or bilateral arrangements or any other informal basis in violation of existing guidelines / instructions / rules shall be terminated and officers so appointed shall be repatriated to the CSIR with immediate effect and CSIR-Labs./Instts. may request the Ministries/Departments/Organisations (MDOs) where council employee is appointed on loan basis or bilateral arrangements or any other informal basis to terminate the services of such employees with immediate effect.

Yours faithfully,


30/10/2023
(M Arun Manikanda Bharathi)
Under Secretary (PD)

Encl. : As above

Copy to:

1. CSIR Website
2. Office copy.

No. 2/2/2023-Pers.Pol. (Pt.15)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Personnel & Training
Pers. Policy-Pay (Deputation/Re-employment) Section

North Block,
New Delhi, the 8th August, 2023.

OFFICE MEMORANDUM

Subject: Transfer on deputation /foreign service of members of All India Services/members of Organised Group 'A' and Group 'B' Services of Central Government.

The undersigned is directed to invite reference to Department of Personnel & Training's OM No. 14017/02/2022-AIS-II(Pension) dated 17.08.2022 on the subject mentioned above.


2. With a view to do away with the unhealthy practice engaging officers of All India Services and Central Government Group 'A' an Group 'B' Services on 'loan/bilateral arrangement' basis, the following decisions were conveyed for strict compliance by all Cadre Controlling Authorities –

- i. No appointment shall be made on loan basis or bilateral arrangements or any other informal basis forthwith;
- ii. For any appointment without 'No Objection' from respective Cadre Controlling Authorities, the officer concerned shall also be liable to disciplinary action under relevant rules; and
- iii. The existing appointments on loan basis or bilateral arrangements or any other informal basis in violation of existing guidelines / instructions / rules shall be terminated and officers so appointed shall be repatriated to the parent Cadre / Organisation with immediate effect.

3. Proposals received from Ministries/Departments subsequent to issue of the above instructions seeking concurrence of DoPT to the continuance of the services of Central Governments officers (other than AIS officers) on loan basis were not agreed to and the Ministry / Department / Organisation (MDO) concerned was advised to engage the services of the officers concerned in accordance with the approved modes of induction such as deputation.

4. However, instances have come to the knowledge of this Department where the practice of engaging officers on 'loan/bilateral arrangement' basis by MDOs continue in spite of unambiguous instructions from this Department to do away with such arrangement. As already observed, such arrangements are not supported by any instructions/ guidelines. They not only cause severe hindrances in effective cadre management but also create administrative issues such as liability towards pay and allowances, recording Performance Appraisal Reports of officers engaged on informal basis etc. These can be avoided if the officers whose services are proposed to be utilised are engaged through approved modes of induction which are regulated by well laid down guidelines/instructions.

5. It is once again impressed upon all Ministries/Departments/Organisations to ensure strict adherence to the instructions issued vide this Department's OM No.14017/02/2022-AIS-II(Pension) dated 17.08.2022. Further, Ministries/Departments are requested to immediately submit a compliance report to this Department confirming non-existence of personnel engaged on informal / loan basis in the Ministry/Department or organisations under their administrative control as per the instructions issued in this regard.



(Murali Bhavaraju) 8/8/23
Director(Pay)

To

All Ministries/Departments of Government of India

Copy to:

1. The President's Secretariat, Rashtrapati Bhavan, New Delhi – 110004
2. The Vice President's Secretariat, 6 Maulana Azad Road, New Delhi – 110011
3. The Prime Minister's Office, South Block, New Delhi
4. Cabinet Secretariat, Rashtrapati Bhavan, New Delhi – 110004
5. Rajya Sabha Secretariat, Parliament House Annexe, New Delhi
6. Lok Sabha Secretariat, Parliament House Annexe, New Delhi
7. The Registrar General, Supreme Court of India, Tilak Marg, New Delhi – 110001
8. The Registrar, Central Administrative Tribunal, Principal Bench, 61/35, Copernicus Marg, New Delhi – 110001
9. The Comptroller and Auditor General of India, Pocket-9, Deen Dayal Upadhyay Marg, New Delhi-110124
10. Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi – 110001
11. Secretary Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi - 110069
12. Staff Selection Commission, Block No. 12, CGO Complex, Lodhi Road, New Delhi – 110003
13. All Attached offices under the Ministry of Personnel, Public Grievances and Pensions.
14. Establishment Officer & Secretary (ACC), DoPT, North Block, New Delhi
15. Addl. Secretary (Personnel Policy & CRD), DoPT, North Block, New Delhi
16. Joint Secretary(AIS), DoPT, North Block, New Delhi


(Murali Bhavaraju) 8/8/23
Director(Pay)

No.14017/02/2022-AIS-II(Pension)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi

Dated 17/08/2022

OFFICE MEMORANDUM

Subject: Transfer on deputation/foreign service of members of All India Services/members of Organized Group 'A' and Group 'B' services of Central Government.

Attention is invited to Consolidated Deputation Guidelines issued vide DoPT's communication No.14017/33/2005-AIS(II)(Pt.I) dated 28.11.2007 and Consolidated Guidelines on deputation/foreign service for members of Organized Group 'A' and Group 'B' services of Central Government issued vide DoPT's O.M. No. AB-14017/02/07-Estt(RR) dated 29.02.2008.

2. In this regard, it is stated that none of provisions contained in the above-mentioned Guidelines allow any appointment on 'informal basis' in the name of 'loan/bilateral arrangements'.

3. In the light of para 1.3 of the Consolidated Guidelines on deputation/foreign service for members of Organized Group 'A' and Group 'B' services of Central Government issued vide DoPT's OM No. AB-14017/02/07-Estt. (RR) dated 29.02.2008, concurrence of the cadre controlling authority is required for ex-cadre deputation of members of Organized Group 'A' and Group 'B' services of Central Government. Further, as per Rule 6 (1) of IAS (Cadre) Rules and the analogous provisions in the IPS (Cadre) Rules and IFoS (Cadre) Rules, the concurrence of the concerned State Government and the Central Government in respect of AIS officers is required for deputation of a cadre officer.

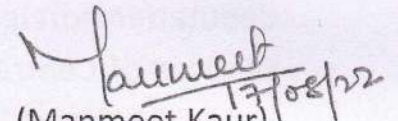
4. However, instances have come to the notice that Central Government employees/All India Service officers, are being deputed to various organizations on informal basis in the name of appointment on loan/bilateral arrangements. The practice of extending services of officers on informal basis to various organizations is not only in violation of the essence of existing guidelines/instructions, but also disturbs the administrative set up of both the lending as well as the borrowing organization.

5. In view of the above, it is reiterated that for all appointments of Central Government employees/All India Service officers, on transfer on deputation/foreign service, prior "No Objection" from the Cadre Controlling Authorities concerned shall be mandatory, as prescribed in the above mentioned Guidelines and in the Cadre Rules of the respective All India Services.

6. Further, it has been decided that:

- i. No appointment shall be made on loan basis or bilateral arrangements or any other informal basis forthwith;
- ii. For any appointment without "No Objection" from respective the Cadre Controlling Authorities, the officer concerned shall also be liable to disciplinary action under relevant rules; and
- iii. The existing appointments on loan basis or bilateral arrangements or any other informal basis in violation of existing guidelines/instructions/rules shall be terminated and officers so appointed shall be repatriated to the parent cadre/organization with immediate effect.

7. This may be brought to the notice of all Cadre Controlling Authorities for strict compliance.


(Manmeet Kaur) 17/08/22

Deputy Secretary to Government of India

To,

All Ministries/Departments of Government of India

Copy to:

1. The President's Secretariat, Rashtrapati Bhavan, New Delhi - 110004
2. The Vice President's Secretariat, 6, Maulana Azad Road, New Delhi - 110011
3. The Prime Minister's Office, South Block, New Delhi
4. Cabinet Secretariat, Rashtrapati Bhavan, New Delhi - 110004
5. Rajya Sabha Secretariat, Parliament House Annexe, New Delhi
- ✓ 6. Lok Sabha Secretariat, Parliament House Annexe, New Delhi

7. The Registrar General, Supreme Court of India, Tilak Marg, New Delhi-110001
8. The Registrar, Central administrative Tribunal, Principal Bench, 61/35 Copernicus Marg, New Delhi - 110001
9. The Comptroller and Auditor General of India, Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi-110124
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15. Joint Secretary (Establishment), North Block, New Delhi

Manmeet
(Manmeet Kaur) 17/08/22

Deputy Secretary to Government of India