

**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 22<sup>nd</sup> March, 2023*

**OFFICE MEMORANDUM**

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

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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 overstay beyond approved term of deputation in favour of delinquent officials.



(Shukdeo Sah)

Under Secretary to the Government of India

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To

**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