

GOVERNMENT OF TAMILNADU

Abstract

Deputation - Deputation of Government Servants to State Owned Corporations/ Boards/Undertakings and to Co-operative Institutions, Autonomous Bodies, Universities, etc. - General terms and conditions - prescribed.

Personnel and Administrative Reforms (FR. II) Department

G.O. Ms. No. 111

Dated : 2-5-1994

Srimuga, Chithirai 19
Thiruvalluvar Aandu 2025

Read :

G.O. Ms. No. 461, Personnel and Administrative Reforms Department,
dated 16-4-80.

ORDER :

In the Government Order read above, the Government have issued orders standardising the terms and conditions governing the deputation of Government Servants on Foreign Service terms under FRs. 110 to 114 to various Institutions.

2. As per FR. 110(b), the Government sanction that deputation of A & B Group Officers on Foreign Service under FRs. 110 to 114 and Heads of Departments sanction the deputation of C & D Group Officers. The terms and conditions of deputation are indicated in each and every order deputing the Government Servants on Foreign Service terms.

3. It has been brought to notice that incorporating the terms and conditions in each and every deputation order would involve unnecessary scriptory work and it would be avoidable if general terms and conditions are prescribed and the individual deputation ordered to be governed by such general terms.

4. The Government have examined the matter carefully and have decided to accept the above view. They accordingly now issue "Standardised terms and conditions" governing the deputation of State Government Employees to Tamil Nadu State Government Undertakings and to institutions other than State Government Undertakings such as Universities, Co-operative Institutions etc. as indicated below :

1. *Pay/H.R.A./C.C.A.* : While on Foreign Service, the officers shall draw the pay and allowances admissible to him in his post in the Government and the usual allowances, viz., Dearness Allowance, House Rent Allowance and City Compensatory Allowance at the rates admissible under the orders in force from time to time.

2. *Conveyance Allowance* : The Foreign Employer may sanction conveyance allowance with reference to the needs of the job, at the rates applicable to a similar class of employee under the Foreign Employer.

3. *Project Allowance* : If a Government Servant deputed to a Foreign Employer works in a project area and a project allowance is paid to the other similar employee in that area, such project allowance may be paid to the deputationist also.

4. *Cash Allowance* : A deputationist shall be permitted to receive cash allowance in lieu of residential Office Assistant, if there is a residential Office Assistant attached to the post under the Foreign Employer and the Foreign Employer has a scheme of cash allowance in lieu of residential Office Assistant.

5. *Leave Salary and Pension Contribution* :

(i) In respect of deputation to Tamil Nadu State Government Undertakings: Leave salary contribution shall not be recovered from the foreign employer and leave salary for any period of leave taken including leave surrendered and encashment of leave in the event of retirement or death, under the foreign employer shall be borne by the foreign employer. The foreign employer shall also pay the leave salary charges in respect of any disability incurred in and through foreign service eventhough such disability manifests itself after the termination of the foreign service. The entire expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer. No additional pension contribution shall, however be recovered in respect of the period of the disability leave. Pension Contributions shall be recovered at the rate of 10% of the maximum of the scale of pay. Penal interest would be levied if payments are delayed.

(ii) In respect of deputation to institutions other than Tamil Nadu State Government Undertakings such as Co-operative institutions, Universities, other Autonomous Bodies etc:

Necessary contribution towards leave salary and pension shall be recovered from the foreign employer and their remittance shall be made

by crossed cheque or demand draft to the lending authority. The foreign employer shall also pay the leave salary charges in respect of any disability incurred in and through foreign service even though such disability manifests itself after the termination of the foreign service.

The entire expenditure in respect of any compensatory allowance for periods of leave in or at the end of foreign service shall be borne by the foreign employer. No additional pension contribution shall, however, be recovered in respect of the period of disability leave. The grant of leave and payment of leave salary shall be regulated as per G.O. Ms. No. 838, Personnel and Administrative Reforms, dated 9-7-1977. Penal interest would be levied if payments are delayed.

6. *Medical Concession* : The deputationist shall be allowed to enjoy the medical concessions prevalent under the foreign employer. If the medical concessions prevalent under the foreign employer are less attractive than the concessions under the Government, he shall have option to avail of the medical concessions of Government.

7. *Claim for arrears* : The claims of the officer for arrears of pay and allowances for the period spent in foreign service shall be paid by the foreign employer, whether the claims are made during, or, on the expiry of foreign service.

8. *Joining time/Transfer Travelling Allowance* : The deputationists shall be eligible for joining time admissible under F.R. 105 and 106 while joining the post under foreign service and on reversion therefrom.

He shall be eligible for travelling allowance as on transfer at the rates admissible to the employee of the foreign employer for his journey to join the post and on reversion from foreign service and for travelling allowance as on tour at the rates admissible to the employees of the foreign employer for journeys performed by him in connection with the work of the foreign employer or at the rates applicable to him under Government whichever may be more advantageous to him.

9. *Period of Deputation* : The period of deputation will, unless otherwise specifically stated, be three years. The deputationist may, however, be recalled by the lending authority at any time at its discretion subject to these conditions, the deputation will commence on the date on which the deputationist hands over charge of his post under the State Government or under the previous Foreign Employer, as the case may be, and end on the date he assumed charge of post under the State Government.

10. *Applicability of Tamil Nadu Civil Services (Classification, Control and Appeal) Rules and Government Servant Conduct Rules* :

The deputationist will be deemed to be a member of the State and Subordinate Service to which he would have belonged but for the deputation, for purposes of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules and the Government Servants Conduct Rules notwithstanding that his services are placed at the disposal of the foreign employer. Besides, he shall also be governed by the special rules of conduct or secrecy, if any, of the Foreign Employer. If the officer had, before his deputation to the foreign employer, committed any act or omission, which renders him, liable to any penalty specified in the said rules, the State Government or the appropriate disciplinary authority, as the case may be, under whom he was serving at the time of commission of such act or omission, shall alone be competent to institute disciplinary proceedings against him and to impose on him a penalty specified in the said rules as they think fit and the foreign employer under whom he is serving at the time of institution of such proceedings shall be bound to render all the reasonable facilities to the Government disciplinary authority for conducting such proceedings.

11. *Cost of Higher Studies* : If the officer is deputed for any training/course, the cost shall be borne by the foreign employer, irrespective of the fact whether he will return to the same post or not.

12. *Accountant General to watch recovery* : The Accountant General, Tamil Nadu is requested to watch the recovery of Pension and other contributions due from the foreign employer.

13. *Strict Adherence of terms and conditions* : The foreign employer shall strictly adhere to the terms and conditions in this order and not allow any higher scale of pay or concede any concession of pecuniary value other than those specified in these terms and conditions without prior concurrence of the lending department.

14. *Leave Travel Concession* : A deputationist shall be allowed to avail himself of the Leave Travel Concession available to him in Government Service, (or as available in Foreign Service, whichever is more advantageous),

15. *Recall* : The foreign employer shall revert a deputationist at any time before the expiry of the sanctioned period of deputation to Government Service, if so required by the Government or the lending authority.

16. *Death in Harness - Transportation Expenses* : The foreign employer should bear the cost of transportation of dead body of a Government Servant who dies in harness while on deputation, to his place of residence or place of

- cremation or to his native place as desired by the members of the family of the deceased, by arranging departmental vehicle or hired vehicle in case of death within the State or by air in case of death outside the State so as to perform the cremation, the religious rites, etc. without any loss of time.
17. *Bonus* : The deputationists, while on deputation, shall be allowed to draw bonus if any, admissible under the payment of Bonus Act, 1965 as declared by the Foreign Employer.
18. *Reimbursement of Leave Salary during Compulsory wait* : In the cases of officers who were relieved from foreign service but were on compulsory wait, the salary for the period of compulsory wait shall be paid by the foreign employer initially and the amount got reimbursed from the Government Department to which the officer is subsequently posted. If any officer is posted again on foreign service to any other foreign body after compulsory wait, then the Government Department from which he was first deputed to foreign service, shall reimburse the salary paid for compulsory wait to the foreign employer.
19. *Leave Account* : An extract of leave account shall be supplied to the Foreign employer by the Head of Office from which the Officer has been deputed to foreign service. The foreign employer will determine the leave admissible to the Government Servant and sanction it under intimation to the Head of Office.
20. *Charges of Electricity, Water, Cooking Gas* : The foreign employer should not bear the charges towards electricity, water and cooking gas in the residence of the deputationist and this should be the liability of the officer deputed.
21. *Festival Advance* : Festival Advance shall be paid to a person in foreign-service as admissible to the Government Servant or as admissible in the foreign service, whichever is more advantageous to him. The outstanding advance, if any, shall, on reversion to parent department be recovered and paid to the foreign employer in the balance number of instalments in the parent department.
5. All lending authorities are requested to specify that the general terms and conditions of deputation shall be as per these orders, while sanctioning the deputation of any officer under their control, without narrating or repeating the conditions. Only additional or special conditions, if any, need be specifically mentioned in deputation orders. Even if no terms are mentioned, all deputations to Tamil Nadu State Government Undertakings/Corporations/Boards, as well

as Universities/Co-operative Institutions/Autonomous Bodies, etc., shall be deemed to be governed by these general terms and conditions.

6. Further, the authority issuing deputation orders should maintain relevant Foreign Service Card and it should be sent to the Audit Officer along with the deputation orders for indicating the rate of Leave Salary contribution and Pension contribution. The instructions laid down in G.O. Ms. No. 12, Personnel and Administrative Reforms (FR. II) Department, dated 8-1-91 should be followed scrupulously in maintaining the Foreign Service Card.

(By Order of the Governor)

(M. AHMED)
Secretary to Government