

GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS
(PERSONNEL WING)

* * *

No.A.35011/1/2002/DPAR/CCD(2)

Puducherry, dated 23.08.2021

I. D. NOTE / OFFICE MEMORANDUM

Sub: Public Services – Deputation of Government employees to
foreign service – Instructions / Clarifications – Communicated.

--oo0oo--

A copy each of the following Office Memoranda of the Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, New Delhi on the subject noted against each is communicated herewith for information and compliance:-

Sl. No.	O.M. Number and dated	Subject
1.	No.2/9/2017-Estt.(Pay-II) dated 09.10.2020	Calculation of monthly contribution towards cost of Pension payable during foreign service.
2.	F.No.2/10/2018-Estt.(Pay-II) dated 02.03.2021	Amendment of Para 5 of consolidated guidelines on deputation issued vide O.M. No.6/8/2009-Estt.(Pay-II) dated 17.06.2010 according to VII CPC Pay Structure.
3.	No.2/11/2017-Estt.(Pay-II) dated 15.03.2021	Grant of Deputation (Duty) Allowance in cases where the Basic Pay in parent cadre has been upgraded on account of NFU, MACP, NFSG, etc., in the VII CPC context.

/ BY ORDER /

(V. JAISANKAR)

UNDER SECRETARY TO GOVERNMENT

To

All Secretariat Departments / Heads of Departments / Offices.

Copy to:

1. The Commissioner-cum-Secretary / All Secretaries / Special Secretaries to Government, Puducherry.
2. The Private Secretary to Chief Minister / Speaker, Puducherry.
3. The Private Secretary to All Ministers, Puducherry.
4. The Collector, Karaikal / Regional Administrator, Mahe / Yanam.
5. The Private Secretary to Chief Secretary, Puducherry.
6. Stock File / C.R.B.

No. 2/9/2017- Estt.(Pay-II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated, 09th October, 2020.

OFFICE MEMORANDUM

Sub: Calculation of monthly contribution towards cost of Pension payable during foreign service – Reg.

The undersigned is directed to invite reference to this Department's OM No. 2/34/2008-Estt (Pay-II) dated 19th November, 2009 on the above subject and to say that according to this OM w.e.f. 01.01.2006, the pension contribution payable in respect of a Government employee during the active period of his foreign service shall be based on the existing basic pay (Pay in the Pay Band plus Grade Pay) of the post held by the Government servant at the time of proceeding on foreign service, and in case he receives Proforma promotion/financial up-gradation while on foreign service, on the basic pay (Pay in the Pay Band plus Grade Pay) fixed on such promotion/financial up-gradation.

2. Consequent upon implementation of the recommendations of the 7th CPC, the matter of issuing revised instructions on the above subject has been engaging the attention of the Government of India. The President is now pleased to decide that pension contribution payable in respect of a Government servant during the active period of his foreign service shall be based on the basic pay in the level (in Pay Matrix) of the post held by him/her at the time of proceeding on foreign service; and in case of grant of Proforma promotion/financial up-gradation while on foreign service, the same shall be based on basic pay in the Level (in Pay Matrix) fixed on such Proforma promotion/financial up-gradation.

3. In respect of Government employees covered by the NPS, during the active period of foreign service w.e.f. 01.01.2016, it has been decided to fix the monthly Pension contribution @ 24% of basic pay in the level (in Pay Matrix) of the post held by him/her at the time of proceeding on foreign service plus DA admissible on such basic pay (i.e. employee's contribution @ 10%, employer's contribution @ 10% and contribution by employer for gratuity @ 4%). However, consequent to revision of Government's contribution for NPS from 10 % to 14% w.e.f. 01.04.2019 vide Department of Financial Services Notification dated 31.01.2019, the monthly Pension contribution for Government employees covered by the NPS w.e.f. 01.04.2019 will be 28% of basic pay in the level (in Pay Matrix) plus DA of the post held by him/her, which will include employee's contribution @ 10%, employer's contribution @ 14%, and contribution by employer for gratuity @ 4%. In case of grant of Proforma promotion/financial up-gradation while on foreign service, the same shall be based on basic pay in the Level (in Pay Matrix) fixed on such Proforma promotion/financial up-gradation.

P. Bahree
09/10/2020

4. In respect of the employees covered under the Old Defined Benefit Pension Scheme, it has been decided to fix their rates of monthly contribution of pension during the active period of foreign service as 14% of basic pay in the level (in Pay Matrix) of the post held by him/her at the time of proceeding on foreign service plus DA admissible on such basic pay during foreign service w.e.f. 01.01.2016. The monthly contribution of pension during the active period of foreign service w.e.f. 01.04.2019 will be 18% of the basic pay in Pay Matrix of the post held by the officer at the time of proceeding on foreign service plus DA admissible on such basic pay. In case of grant of Proforma promotion/financial up-gradation while on foreign service, the same shall be based on basic pay in the Level (in Pay Matrix) fixed on such Proforma promotion/financial up-gradation.

5. It has also been decided that these pension contributions would be in addition to the leave salary contributions for the period of foreign service, in respect of both NPS employees and the employees under Old Defined Benefit Pension Scheme.

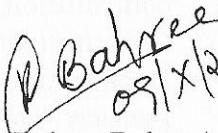
6. In case of employees covered under NPS, during the period of active foreign service, the borrowing organisation shall make its part of contribution mandatorily to the NPS Account of the employee.

7. This OM will be effective from 01.01.2016. In respect of persons who are already on foreign service as on 01.01.2016, the pension contribution will be calculated at the above rates on the revised pay as per 7th CPC from the date which they opt to come over to the revised pay structure after implementation of 7th CPC recommendations, in their parent cadres. For the earlier period, the pension contributions will be as per extant orders i.e. the order in force during period prior to 01.01.2016 from time to time.

8. The modalities/ mechanism of payment of pension contribution during the active period of foreign service in respect of NPS subscribers will be issued separately.

9. In their application to the persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller & Auditor General of India.

10. Hindi version will follow.


09/11/2020
(Rajeev Bahree)

Under Secretary to the Government of India

To

All Ministries/ Department (As per standard list)

// COPY //


(K. CANDANE @ SIVARADJANE)
SUPERINTENDENT (CCD)

F. No.2/10/2018-Estt. (Pay-II)
Government of India
Ministry of personnel, public Grievance and Pensions
Department of Personnel and Training
Esst. (Pay) Division

North Block, New Delhi
dated : 2.3.2021

OFFICE MEMORANDUM

Subject: Amendment of Para 5 of consolidated guidelines on deputation issued vide OM No.6/8/2009-Estt.(Pay-II) dated 17.06.2010 according to 7th CPC pay structure – regarding.

Department of Personnel and Training's OM No.6/8/2009-Estt. (Pay-II) dated 17th June 2010 regulates the Pay, Deputation (Duty) Allowance, Tenure of Deputation/Foreign Service and other terms and conditions of deputation/foreign service of Central Government employees to ex-cadre posts under the Central Government, State Governments, Public Sector Undertakings, Autonomous Bodies, Universities, Union Territories Administration, Local Bodies etc. and vice-versa. Subject to its applicability as provided in para 2 of the OM, these instructions cover cases of deputation/foreign service where Central Government is either lending authority or borrowing authority, or both.

2. Para 5 of aforesaid OM dated 17th June 2010 provides the method of pay fixation on deputation from Central Government to Central Government, in foreign service/ Reverse Foreign service.

3. Consequent upon the implementation of the recommendations of the 7th Central Pay Commission, it has been decided to amend the provisions of Para 5 of this Department's OM No.6/8/2009-Estt. (Pay-II) dated 17th June 2010 with following paras:-

“ 5. Pay fixation

5.1 *When an employee on deputation/ Foreign Service elects to draw pay in the Level (in Pay Matrix) attached to the ex-cadre post, his/her pay may be fixed as under: -*

(i) Deputation from Central Government to Central Government

If the Level (in Pay Matrix) of the ex-cadre post is higher than that of the parent cadre post, an increment shall be given in the Level (in Pay Matrix) of parent cadre post and he/she shall be placed at a Cell equal to the figure so arrived at in the Level (in Pay Matrix) of the ex- cadre post; and if no such Cell is available in the Level (in Pay Matrix) of the ex-cadre post, he/she shall be placed at the next higher cell in that Level.

In case Levels (in Pay matrix) of the ex-cadre post and the parent cadre post of the employee are identical, the employee would continue to draw his/her basic pay.

The basic pay from time to time after pay fixation should not exceed the maximum of the pay in the level of the ex-cadre post.

(ii) In foreign service/Reverse Foreign Service

(a) *When the Level (in Pay Matrix)/Pay Scale of the post in the parent cadre and that attached to ex-cadre post are based on the same index level and the DA pattern is also same, the pay may be fixed as under (i) above.*

Contd/-



(b) If the appointment is made to a post whose pay structure and/ or Dearness Allowance (DA) pattern is dissimilar to that in the parent organisation, pay may be fixed by adding one increment to the basic pay of the substantive post in the parent cadre, (and if he/she 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 basic 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/ Level (in Pay Matrix) of the ex-cadre post at which total emoluments admissible in the 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.

In case of reverse foreign service if the appointment is made to post whose pay structure and/or DA pattern is dissimilar to that in the parent organization, the option for electing to draw the basic pay in the parent cadre [along with the Deputation (Duty) Allowance thereon and the personal pay, if any] will not be available to such employee. It is also clarified that Terms and Conditions in case of appointment on deputation made prior to 1.7.2017 shall be continued as per the mutually agreed terms and conditions already set.

(c) The basic pay from time to time after pay fixation should not exceed the maximum of the pay in the level of the ex-cadre post.


5.2 In cases of appointment from one ex-cadre post to another ex-cadre post where the employee opts to draw pay in the Level (in Pay Matrix)/Pay Scale of the ex-cadre post, the pay in the second or subsequent ex-cadre post should be fixed under the normal rules with reference to the pay in the cadre post only. However, in respect of appointments to ex-cadre posts carrying Level (in Pay Matrix)/Pay Scale identical to that of the ex-cadre post(s) held on an earlier occasion(s), it may be ensured that the pay drawn in subsequent appointment should not be less than the pay drawn earlier.

5.3 In cases of appointments to a second or subsequent ex-cadre post(s) in a higher Level (in Pay Matrix)/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 employee should have opted to draw pay in the Level (in Pay Matrix)/Pay Scale attached to the ex-cadre posts."

4. These orders will take effect from 1.1.2016 and shall be applicable to all officers who were on deputation on 1.1.2016 or appointed thereafter except for the revised rates of Deputation (Duty) Allowance which shall be applicable from 01.07.2017.

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders will apply for deputation outside Indian Audit and Accounts Department as concurred in by the Comptroller and Auditor General of India.

6. Hindi version will follow.


(Shukdeo Sah) 2/3/21

Under Secretary to the Government of India

To

All Ministries/Departments of the Government of India
(As per standard list)

// COPY //


(K. CANDANE @ SIVARADJANE)
SUPERINTENDENT (CCD)

No. 2/11/2017-Estt.(Pay-II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

- - - - -

North Block, New Delhi
Dated the 15th ~~March~~, 2021

OFFICE MEMORANDUM

Subject: Grant of Deputation (Duty) Allowance in cases where the basic pay in parent cadre has been upgraded on account of NFU, MACP, NFSG, etc. in the 7th CPC context - clarification regarding.

The undersigned is directed to refer to this Department's OM of even number dated 24th November, 2017 regarding grant of Deputation (Duty) Allowance in the 7th CPC context, and to say that this Department has been receiving references from various Ministries/Departments/Organizations for clarifications regarding admissibility of Deputation (Duty) Allowance in terms of Note 2 and Note 3 below para 4(d) of this Department's OM dated 24th November, 2017 in cases where the basic pay in parent cadre has been upgraded on account of NFU, MACP, NFSG, etc. in the 7th CPC context.

2. Note 2 and Note 3 of the para 4(d) of this Department's OM dated 24th November, 2017 are as follows:-

Note 2 In cases where the basic pay in parent cadre has been upgraded on account of Non-functional upgradation (NFU), Modified Assured Career Progression Scheme (MACP), Non Functional Selection Grade (NFSG), etc., the upgraded basic pay under such upgradations shall not be taken into account for the purpose of Deputation (Duty) Allowance.

Note 3 In the case of a Proforma Promotion under Next Below Rule(NBR): If such a Proforma Promotion is in a Level of the Pay Matrix which is higher than that of the ex-cadre post, the basic pay under such Proforma Promotion shall not be taken into account for the purpose of Deputation (Duty) Allowance. However, if such a Proforma Promotion under NBR is in a Level of the pay matrix which is equal to or below that of the ex-cadre post, Deputation (Duty) Allowance shall be admissible on the basic pay of the parent cadre post allowed under the proforma promotion, if opted by the deputationist.



3. In view of the references received from different Ministries/Departments/Organisations, the following is clarified with regard to the admissibility of Deputation (Duty) Allowance in terms of Note 2 and Note 3 below para 4(d) of this Department's OM dated 24th November, 2017 in cases where the basic pay in parent cadre has been upgraded on account of NFU, MACP, NFSG, etc. in the 7th CPC context:-

3.1 In cases where the basic pay in parent cadre has been upgraded (upto Level 13 A) on account of Non-Functional Upgradation (NFU), Modified Assured Career Progression Scheme (MACP), Non Functional Selection Grade (NFSG), etc., and the officer has opted for such upgraded pay of the parent cadre, in that event, the upgraded basic pay under such upgradations shall not be taken into account for the purpose of Deputation (Duty) Allowance. In such cases, the Deputation (Duty) Allowance will be calculated taking the basic pay of the parent cadre which the officer was getting before such upgradation and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.

3.2 However, if the upgradation is to Level 14 or above, he shall be given the option to draw the upgraded basic pay under such upgradations without Deputation (Duty) Allowance or the pay which he was drawing before such upgradation with Deputation (Duty) Allowance, whichever is more beneficial as per the option of the officer.

3.3 In the case of **Proforma Promotion** under Next Below Rule (NBR), if such a **Proforma Promotion** (upto Level 13 A) is in a Level of the Pay Matrix which is higher than that of the ex-cadre post, and the officer has opted for the upgraded pay of the Proforma Promotion, the basic pay under such Proforma Promotion shall not be taken into account for the purpose of Deputation (Duty) Allowance. Deputation (Duty) Allowance will be calculated taking into account the basic pay which the officer was getting before such Proforma Promotion. The amount of Deputation (Duty) Allowance would be calculated on the basis of the pre-upgraded presumptive pay that the officer was drawing prior to Proforma Promotion and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.

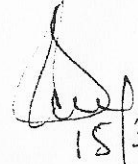
3.4 However, if such a Proforma Promotion under NBR is in a Level of the pay matrix which is equal to or below that of the ex-cadre post, Deputation (Duty) Allowance shall be admissible on the basic pay of the parent cadre post allowed under the Proforma Promotion, if opted by the deputationist.

3.5 However, if the upgradation is to Level 14 or above of the Pay Matrix, he shall be given the option to draw the upgraded basic pay under such



Proforma Promotion without Deputation (Duty) Allowance or the pay which he was drawing before grant of Proforma Promotion with Deputation (Duty) Allowance, whichever is more beneficial as per the option of the officer. The amount of Deputation (Duty) Allowance would be calculated on the basis of pre-upgraded presumptive pay that the officer was drawing prior to the grant of Proforma Promotion and the amount of the same would be further regulated every year on the basis of the pay arrived at by giving annual increments on the presumptive pay.'

4. These orders shall take effect from 1st July, 2017.
5. Insofar as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the office of the Comptroller and Auditor General of India.
6. Hindi version will follow.


15/3/2021

(Shukdeo Sah)

Under Secretary to the Government of India

Tele: 2304 0489

To

Ministries/ Departments of Government of India.

// COPY //


(K. CANDANE @ SIVARADJANE)
SUPERINTENDENT (CCD)