

103.

No. F. 13(30)-Est. III/59.
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi-2, dated the 31st January, 1962.

From

Shri Rabi Ray,
Deputy Secretary to the Government of India.

To

All Accountants General.

Subject:- Deputation of Service officers for Civil
Appointments - Procedure.
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Sir,

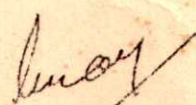
I am directed to enclose herewith a copy of the Ministry of Defence Circular letters No. 4(15)58/4483/D(MS) dated the 23rd December, 1959 (together with the enclosures) and 16th August, 1960 on the subject mentioned above and to say that the procedure envisaged therein may be followed in respect of Defence Service officers deputed to Civil Departments of the Government of India subject to the following:-

(a) No exception should be made to the terms specified in these instructions. For example, an Army officer electing civil rates of pay will not be granted any concession in cash or kind in lieu of a particular concession enjoyed by him on the defence side nor any concession admissible on the civil side should be granted to officers retaining service rates of pay while on deputation.

(b) As regards provision relating to Accommodation in Annexures II and III to the circular letter dated the 23rd December 1959 it may be stated that officers who opt for civil rates of pay will be governed by civil rules in the matter of recovery of rent and those officers who retain military rates of pay will be subject to the conditions governing them in the service of the Defence Establishment.

(c) As regards incidence of leave salary it may be stated that the liability for leave salary will be regulated in accordance with appendix 3(B)II of Account Code Vol. I.

Yours faithfully,


(RABI RAY)

Deputy Secretary to the Government of India.

Copy to :-

- (i) All Ministries and Departments of Govt. of India.
- (ii) Comptroller and Auditor General w.r.t. his U.O. No. 13. Audit II/14-60 dated 8-1-62

Contd/. 2.

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(iii) All branches in the Establishment Division

(iv) Defence Division (Shri N.N.K. Nair, AFA)

(V.K. SUBRAMANIAN)

Under Secretary to the Government of India.

Copy of letter No.4(15)58/4483/D(MS), dated the 23rd December, 1959 from the Ministry of Defence addressed All State Governments and Administrations, etc.etc.

Subject:- DEPUTATION OF SERVICE OFFICERS FOR CIVIL APPOINTMENTS - PROCEDURE.

I am directed to say that requests are received frequently from the State Governments and other civil authorities for the loan of the services of officers of the Armed Forces for various civil appointments. To ensure that there is no avoidable delay in deputing the officers and also that the terms and conditions of deputation are settled expeditiously, the procedure to be followed has been standardised and is set out in Annexure I to this letter.

2. A service officer temporarily transferred to civil employ draws the service rate of pay to which he may be entitled from time to time under the Pay Code of the Armed Forces unless he elects to draw pay in the prescribed civil scale at the time of transfer. The option once exercised holds good so long as he remains in temporary civil employ. The terms relating to leave, accommodation, travelling allowance pensionary awards and medical attendance are usually determined with reference to the nature of pay, i.e. Service or civil, which the officer elects to draw. The details of the terms when proceeding on (i) Service rates or (ii) civil rates of pay are set out in the accompanying Annexures II and III respectively.

3. The period of deputation of an officer, who draws service rates of pay and allowances and who is required to wear uniform while in civil employ reckons in full towards the qualifying period for drawal of renewal outfit allowance. If the allowance becomes due for payment during the period of deputation, the debit is raised against the borrowing authority. If an officer drawing civil rates of pay and allowances during the period of deputation is required to wear uniform, it is open to the State Government/civil authority concerned to give him a suitable lump sum grant for the renewal of his outfit.

4. An officer who elects to draw service rates of pay and allowances while on deputation to civil retains his acting/temporary rank during the period of deputation. If, however, he elects to draw civil rates of pay, he relinquishes his acting/temporary rank and reverts to his substantive/war substantive/quasi-substantive rank. In special cases, a higher local rank may be granted, if a request to this effect is made by the borrowing Government to this Ministry.

5. The officer, while on deputation shall continue to be eligible to subscribe to the DSOP Fund and the normal

Fund rules will apply to these officers.

6. I am to request that in all cases where the services of officers of the Armed Forces are required by the State Governments, the procedure as set out in Annexure I may be followed. The terms which they proposed to offer, i.e. as per accompanying Annexure II or III, as the case may be, may also please be indicated. This will help in eliminating the delay in finalising the terms and conditions of deputation.

Yours faithfully,
Sd/-(MAHDHAR)

Under Secretary to the Government of India.

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Annexure I to Ministry of Defence letter
No.F.4(15)58/4483/D(MS) dated the 23rd December,
1959.

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PROCEDURE TO BE FOLLOWED IN REGARD TO THE LOAN OF
SERVICE OFFICERS FOR CIVIL APPOINTMENTS.

1. The request for securing the services of officers of the Armed Forces should be addressed to the Secretary to the Government of India, Ministry of Defence, New Delhi.
2. The request should contain full details of the appointment, qualifications, civil scale of pay and allowances, if any, and place of duty. The period for which services of the officer(s) is/are required should also be clearly stated.
3. If possible, it should be indicated whether the officer is proposed to be paid service rates of pay and allowances or civil rates of pay and allowances. It should also be indicated whether the terms indicated in the Annexure II or III, as the case may be, are acceptable to the borrowing authorities. If service rates of pay and allowances are offered, the particular rank in which the officer is required should be indicated.
4. As soon as an officer joins duty in the civil appointment the date of joining should be communicated to the Ministry of Defence. It should be noted that the deputation commences from the date the officer is struck off strength of his last appointment in the Armed Forces.
5. The Armed Forces Head Quarter will endorse a copy of the posting orders of the officer to the Controller of Defence Accounts concerned, i.e. the Controller of Defence Accounts (Officers) Poona, in the case of Army officers the Controller of Defence Accounts(Navy), Bombay, with a copy to supply Officer-in-charge, Naval Pay Office, Bombay in the case of Naval Officers and the Controller of Defence Accounts (Air Force), Dehra Dun, with a copy to IAF C.A.O. in the case of Air Force Officers. The Accounts authorities will then immediately issue the officer's last pay certificate containing particulars of pay, etc., to the A.G. concerned and also intimate

to him the date on which the officer handed over charge in his last appointment.

- 6. On receipt of the last pay certificate, the A.G. concerned should commence paying the officer provisionally at Service rates of pay and allowances indicated therein pending the finalisation of detailed terms and conditions of service.
- 7. The Ministry of Defence will arrange to issue a Gazette Notification placing the services of the officer at the disposal of the borrowing Government as soon as the officer is struck off strength of his unit. They will also issue a Government of India Notification embodying the terms and conditions of deputation as finally agreed between themselves and the Ministry of Defence. For this purpose it is necessary that the borrowing Governments/Departments forward to the Ministry of Defence 40 copies of the orders issued by them on the subject.

Annexure II to Ministry of Defence letter No.F.4(15)58/4483-D(MS) dated 23rd December, 1959.

TERMS AND CONDITIONS OF SERVICE OF OFFICERS OF THE ARMED FORCES WHO DRAW SERVICE RATES OF PAY WHILE ON DEPUTATION TO CIVIL.

Tenure: As may be agreed to. The normal tenure is 2 years.

Rank: The officer will retain acting/temporary rank held in the Armed Forces at the time of deputation unless the grant of a higher rank is specifically agreed to.

Service: The entire period of deputation will count in full as effective commissioned service for purposes such as seniority, promotion, increments of pay, pensionary awards and leave, etc., in the Army/Navy/Air Force.

Pay & Allowances: At Service rates permissible under P&A Regulations (Officers) Army or P&A Regulations (Officers) Army, Old Pay Code, as applicable, and corresponding Regulations on the Navy and Air Force side.

Outfit allowance: The period of deputation will count for the renewal grant of outfit allowance, provided the officer continues to wear uniform while in civil employ. If the allowance becomes due during the period of deputation, the debit will be raised against the borrowing authorities.

Leave: According to Army/Navy/Air Force leave rules. The liability for leave salary would be regulated on allocation basis/accordance with paras 1 and 2 of App.3(B)(II) of Account Code, Vol.I.

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Accommodation: According to Army/Navy/Air Forces. Rent for accommodation and charges for water and electricity if provided by the civil will not be charged in excess of that chargeable while in the Armed Forces.

Travelling allowance: According to Service rules. The cost of conveyance in respect of the journey undertaken on joining the civil appointment and on relinquishing that appointment as well as of journeys undertaken during the period of deputation in circumstances entitling the officer to free conveyance or leave travel concession under Army/Navy/Air Force rules will be the liability of the borrowing Government.

Disability and special family pension/allowances: Any claim that the officer or his family may have in respect of his disablement or death while employed in the civil or which may arise out of any disability contracted in such employment shall be determined in accordance with the relevant military rules and the full cost of the award will be the liability of the borrowing Government.

Retiring Pensionary Awards and Ordinary family pension/allowance:

The cost of retiring pensionary awards and ordinary family pension/allowances if granted, under the military rules in respect of the officer will be shared by the civil on Service share basis.

Medical attendance: According to Army/Navy/Air Force rules.

Annexure III to Ministry of Defence letter No.F.4(15)58/4483/D(MS) dated 23rd December, 1959.

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TERMS AND CONDITIONS OF SERVICE OF OFFICERS OF THE ARMED FORCES WHO ELECT TO DRAW CIVIL RATES OF PAY WHILE ON DEPUTATION TO CIVIL.

Tenure: As may be agreed to. The normal tenure is two years.

Service: The entire period of deputation will count in full of effective commissioned Services for purposes such as seniority, promotion, increment of pay and Pensionary Awards leave etc. in the Armed Forces.

Pay & Allowances: At civil rates.

Leave: According to civil rules.

Accommodation: According to civil rules.

Travelling allowances: Travelling allowance, joining time and joining time pay, for journeys undertaken to join the appointment under the civil and on reversion therefrom, shall be regulated under the relevant civil rules and shall be the liability of the borrowing Government. T.A./D.A. for journeys undertaken during the period of deputation and leave travel concessions will likewise be regulated under the civil rules and shall be the liability of the borrowing Government.

Disability and special family pension/allowances: Any claim that the officer or his family may have in respect of his disablement or death while in civil employ or which may arise out of any disability contracted in such employment, shall be determined solely in accordance with the relevant civil rules and the full cost of the award shall be the liability of the borrowing Government.

Retiring Pensionary Awards and ordinary family pension/allowances

The cost of retiring pensionary awards and ordinary family pension if granted under the military rules in respect of the officer will be shared by the civil on service share basis.

Medical attendance: According to civil rules.

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Copy of letter No.F.4(15)58/D(MS), dated the 16th August, 1960 from the Ministry of Defence, New Delhi addressed All State Governments and Administrations, etc. etc.

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Subject:- DEPUTATION OF SERVICE OFFICERS FOR CIVIL APPOINTMENTS - PROCEDURE.

I am directed to refer to this Ministry's letter No.4(15)/58/4483/D(MS), dated the 23rd December, 1959, on the subject mentioned above and to say that para 4 thereof has been amended as follows:-

"4. An officer on deputation to civil will retain his acting/temporary rank during the period of deputation, if, but for the deputation, he would have continued in that rank in the Army."

Yours faithfully,
Sd/-(MAHIDHAR)

Under Secretary to the Government of India.

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"F.LAKRA"
23.1.62.