

**No.4/78/2006-P&PW (D)**  
**Government of India**  
**Ministry of Personnel, Public Grievances & Pensions**  
**(Department of Pension & Pensioners' Welfare)**

3<sup>rd</sup> Floor, Lok Nayak Bhawan  
New Delhi-110 003, Dated the 31<sup>st</sup> October, 2007

**OFFICE MEMORANDUM**

Subject:-**Deputation of Central Government Servants to posts in Central Autonomous Bodies – Review of Policy.**

The undersigned is directed to invite attention to this Department's O.M. No. 4(12)/85-P&PW dated 31.3.87 stipulating, inter-alia, that appointment of Government servants in the Central autonomous bodies shall be on immediate absorption basis only as in the case of Central public sector undertakings and instructions contained in the Dept. of Pension & PW O.M. No. 4/42/87-P&PW dated 19.4.88 followed by O.M. of even number dated 29.1.91 and O.M. No. 4/10/2005-P&PW dated 5.12.2005 which provide for relaxation of the Rule of immediate absorption in respect of certain categories of posts in autonomous bodies. The matter has been reviewed by the Govt. and it has been decided that the instructions providing for appointment on immediate absorption basis should continue to be followed. The consolidated instruction superseding all earlier orders in the subject are as under. However in respect of the following categories of post in Central Autonomous Bodies (CABs) exemptions may be permitted:-

- (a) Posts requiring specialised personnel in connection with **scientific research or development of technology.**
- (b) Posts in executive or senior management level i.e. post carrying a pay scale of not less than (Rs. 12000-375-16500) in CAB having very close inter-action with policies and programmes of the Government.
- (c) Posts where the nature of the work requires employment of Government officers for security reasons or vigilance purposes.
- (d) Posts in newly established/temporary organisations (upto a period of 5 years from the date of establishment).
- (e) Posts limited in number particularly in specialised fields where creation of a regular cadre is not feasible.

(f) The number of posts to be exempted may be decided in each CAB on a case to case basis.

2. The criteria for exemption of any particular category of posts from the "Rule of immediate absorption" should be non-availability of suitable persons for particular posts. All attempts should be made to fill up the post on a regular basis. The option for filling up of a post on deputation should be used as an exception when all other avenues have been exhausted.

3. The procedure to be followed pursuant to these guidelines will be that each Autonomous body should seek exemption from the general rule of immediate absorption in respect of any particular post or posts or in respect of the organization as a whole, the proposal should be made by the Autonomous body to the administrative Ministry/Dept. concerned alongwith details for each post in proforma enclosed with this O.M. In the administrative Ministry the proposals may be scrutinized in accordance with these guidelines and only such proposals which have the approval of the Secretary of the administrative Ministry concerned may be referred to the Dept. of Pension & PW, indicating the full justification for granting such exemption. After a post or categories of posts is so exempted the Autonomous body/ Administrative Ministry concerned shall be competent to take decision in individual cases.

4. For the purpose of these orders, a Central Autonomous Body is generally a non-profit making organization which is financed wholly or substantially from cess or Central Govt. grants. "Substantially" means that more than 50% of the expenditure of the Autonomous body is met through cess or Central Govt. grants. An Autonomous body may be a society registered under the 'Societies Registration Act', 1860 or a statutory body or a Central University having its own governing council whose memorandum of association/bye-laws etc., contain provision for complying with Govt. directives for carrying out its business in achieving the objectives for which the organization is established.

5. It has been observed by the Dept. of Pension & PW that sometimes proposals for exemption are received after the selection for the post had been made or without the approval of the Secretary of the concerned Ministry or at the fag end thus leaving no time for DOP&PW to examine the case properly. Therefore, proposals, complete in all respect and duly supported by the relevant documents may be furnished well in advance.

6. It has also been observed in the Dept. of Pension & PW that cadre authorities do not seek confirmation as to whether a particular post was exempted from the rule of immediate absorption in respect of their officers for cadre clearance before relieving them on deputation to Central autonomous bodies. In order to ensure compliance of the instructions, it has been decided to reiterate the existing instructions that all administrative Ministries/Departments

must get exemption from the rule of immediate absorption for appointment of Central Govt. servants on deputation basis to posts in Central Autonomous bodies under their administrative control. If a Central Govt. servant is allowed to proceed to a Central autonomous body on deputation basis without obtaining specific exemption for the post, the official will have to be treated as having resigned from the Central Govt. and absorbed in the Central autonomous body. He will then have to forego counting of past service for pensionary benefits in the Central autonomous body. No ex-post-facto approval will be given.

7. All cadre controlling authorities are, therefore, requested to get confirmation that the post for which an officer of the cadre has applied has been exempted from the Rule of immediate absorption before conveying cadre clearance to the concerned Ministry/Dept./Autonomous Body.

8. All Ministries/Depts. and all Central autonomous bodies under their administrative control, who decide to appoint serving Central Govt. servants on deputation basis to posts which are exempted from the Rule of immediate absorption should make a specific mention of the exemption in the vacancy circular/advertisement such a vacancy circular/advertisement is available to the candidate as well as the parent Ministry/Dept. for cadre clearance. It has also been decided that an authentic copy of the circular/advertisement clearly making a specific mention of communication conveying approval of the Dept. of Pension & PW for exemption may be enclosed with the proforma seeking cadre clearance to enable cadre controlling authority to examine to give cadre clearance expeditiously.

9. Period of deputation for Govt. employees against posts to be exempted shall be in accordance with the extant DOPT guidelines on the subject.

10. All administrative Ministries/Departments are requested to take note of the above decisions and also to bring the same to the notice of the Autonomous bodies under their administrative control for strict compliance by all concerned.

11. This issues with the approval of competent authority.

12. Hindi version will follow.

*A. - ahl*  
*31/7/07*

(Amitabh Dwivedi)

Under Secretary to the Government of India

Telephone No. 24644847

To

All Ministries/ Departments.( As per mailing list)

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ANNEXURE TO DoP&PW's OM No. 4/78/2006-P&PW (D) DATED OCTOBER 2007  
PROFORMA

PARTICULARS TO BE FURNISHED BY THE CENTRAL AUTONOMOUS BODIES ETC. FOR THE PURPOSE OF GRANT OF EXEMPTION FROM THE RULE OF IMMEDIATE ABSORPTION FROM THE DEPARTMENT OF PENSION & PENSIONERS' WELFARE SO THAT SPECIFIC POSTS COULD BE FILLED UP BY TAKING CENTRAL GOVERNMENT EMPLOYEES ON DEPUTATION BASIS.

1. Designation of the post
2. Pay scale
3. (i) Number of posts (sanctioned strength)/ and (ii) Number of posts proposed to be filled up on deputation
4. Brief description of functions of Posts proposed to be filled up in
5. Qualifications and experience prescribed in the notified Recruitment Rules, (authentic copy of which may be attached) for appointment to the post.
6. In respect of each category of posts for which exemption is being sought, please give details about the hierarchy of posts below (their designation, pay scale, number of posts and method of recruitment) performing similar nature of duties. [This would help in examining if the posts can be filled by promotion from the feeder grades, within the organisation.]
7. Justification for filling the post on deputation, and not on immediate absorption basis,
8. (i) What is the prescribed period of deputation as per notified Recruitment Rules and (ii) Period for which exemption is being sought (i.e. the period after which it is proposed to revert to the normal procedure of appointment on immediate absorption basis.)
9. Date/year of setting up of the Central Autonomous Body.
10. Details of previous exemption obtained, if any from this Dept. in respect of the post in proposal. Reference of Department of Pension & Pensioners' Welfare must be quoted.
11. Whether the proposal has specific approval of Secretary of Administrative Ministry.
12. Name, designation and telephone number of the officer who could be invited for discussion in case of doubt/clarification.

Note: This proforma is to be signed by an officer of the administrative Ministry not below the rank of Under Secretary.