

# MASTER CIRCULAR

## Master Circular No. 40

### Deputation/Secondment of Non-gazetted Railway Employees outside the Railways - Consolidation of instructions - Issue of Master Circular

The instructions on the subject "Deputation/Secondment" are contained in [Chapter 20](#) of Indian Railway Establishment Code, Vol. II and various circulars issued from time to time from this office. The question of issue of consolidated instructions has been engaging the attention of the Railway Board for quite some time. It has now been decided to issue consolidated instructions on the subject in the form of a Master Circular for the information and guidance of all concerned as below:

#### 2. Deputation of Railway employees to Central Public Enterprises/autonomous bodies:

- 2.1 Deputation of railway employees to Central Public Enterprises/autonomous bodies is governed by the orders issued by the Ministry of Finance (BPE) in the case of former and the Ministry of Personnel, Public Grievances and Pensions in the case of latter from time to time. Railway employees can join posts in these bodies only on immediate absorption basis except where the organisation has been specifically exempted from the rule of immediate absorption.

[ [F\(E\)II/86/DE](#) 1/1 dated [25.3.1986](#)  
and DOP&W's O.M. [4\(12\)85/P&PW dated 31.3.1987](#) ]

- 2.2 Employees should be absorbed in the undertaking/ autonomous bodies or repatriated to their parent railway on expiry of the authorised period of the deputation unless extension has been obtained from the competent authority.

- 2.3 To implement the above provisions the following system should be introduced on the Railways, if not already in vogue:

- a. A register should be maintained of staff sent on deputation, department-wise, at Headquarters, Divisions and extra-Divisional offices so that the repatriation or extension of the deputation period could be matched and timely action taken to ensure compliance with the extant instructions;
- b. Action to recall the employees or to seek extension should be initiated at least six months in advance of the date of the expiry of the 3 years period, which is normally the maximum period;
- c. One officer should be nominated each in the Headquarters Office, Divisional Office and extra-Divisional offices to keep a watch over timely repatriation or extension as the case may be. It is the

- responsibility of these officers personally to see that necessary action in this regard is taken as indicated above as per the schedule;
- d. Where extension beyond 3 years is considered absolutely necessary, a proposal for extension should be made to the Board so as to reach them at least 3 months before the expiry of the 3 years of deputation period duly furnishing the requisite information in the prescribed proforma as in [Annexure-I](#). Board's approval in such cases should not be taken for granted.
  - e. Proposals in any cases of delay should be accompanied with factual position regarding fixing of responsibility.

[[E\(NG\)I/89/DP/24 dated 1.11.1989](#) (RBE 269/1989)]

#### 2.4 For the purpose of these orders:-

- a. A Central Public Enterprise is an undertaking wholly or substantially owned by the Government of India, and which is accepted as such by the Bureau of Public Enterprises (now Department of Public Enterprises)
- b. Central autonomous body is generally a non-profit making organisation which is financed wholly or substantially (more than 50% of the expenditure coming within the term "substantial") from Cess or Central Government grants.

It 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 Government directives for carrying out its business in achieving the objectives for which the organisation is established,

[DOP&T's O. M. No. [28016/5/85-Estt.\(c\)](#) dated [31.3.1986](#) and M/o Railway's letter No. [F\(E\)II/84/PN 1/4 dated 25.6.1987](#) (RBE 331/1987)]

2.5 The period of deputation of Railway employees to Sikkim will be 5 years extendable by another year with the concurrence of the Ministry of Home Affairs

(Ministry of Home Affairs' letter No.12012/5/79-SKM dated 6.5.1982)

### 3. [Deputation/Secondment abroad:](#)

- 3.1 Consolidated instructions regarding appointment of Indian Experts for posts under International Organisations and Foreign Governments have been issued by DOP&T vide their O.M. No. [F/18/10/91-FA\(UA\)](#) dated [20.6.1991](#). These instructions will apply to railway employees mutatis-mutandis. ~~A copy of this OM is enclosed as Annexure-II~~
- 3.2 The period of secondment starts from the date of departure from India and ends on the date of arrival in India. The period between release and departure and arrival and resumption may be treated as leave due.

#### **4. Deputation to RITES/IRCON and secondment through them.**

- 4.1 The General Managers are competent to place non-gazetted staff on deputation to RITES/ IRCON without the prior approval of the Railway Board for a maximum period of 3 years.**
- 4.2 Deputation of Railway employees to RITES/ IRCON should be under the normal rules of deputation, their pay on such deputation being fixed in terms of instructions contained in this Ministry's letter No. [F\(E\)II/88/DE 1/1 dated 17.2.1989](#) (RBE 48/1989). For the present it has been decided to restrict the deputation upto 04.03.1992, unless extended further.**
- 4.3 Where non-gazetted staff are deputed to RITES/ IRCON for execution of their contract abroad they will be posted on deputation to these two Companies and the Ministry's approval would not be necessary for deputation upto a period of 3 years.**
- 4.4 In cases where non-gazetted staff are seconded to a foreign Government/ Organisation through RITES/ IRCON, they will be treated as on foreign service out of India, and in such cases the Ministry's prior approval would be necessary**
- 4.5 As far as extension of deputation of railway employees to RITES/ IRCON is concerned, the following terms and conditions have been laid down :-**

- i. tenure should generally be terminated in 3 years and extension cases should be rare.**
- ii. extension beyond 5 years will not be granted at all**
- iii. officer should not be shifted from one project to another for the purpose of granting extension.**
- iv. for projects extending beyond 5 years, fresh staff should be deputed rather than seeking extension for those who have completed 3 years;**
- v. in each case of extension, CMD should himself certify that the guidelines have been strictly adhered to.**
- vi. cases for extension should be submitted to the Ministry of Railways at least 3 months in advance giving necessary particulars in the prescribed proforma;**
- vii. extension should be approved in the Ministry of Railways at the level of the Minister in-charge:**
- viii. extension can be granted only for a year at a time.**

**Note :- Extension of deputation period beyond three years can be considered only against project oriented posts.**

- 4.6 While it is the primary responsibility of RITES/ IRCON as borrowing organisations to return the personnel to Railways at the end of their sanctioned tenure, it is also an act of indiscipline on the part of the concerned staff who overstay their sanctioned tenure unauthorisedly. Accordingly, whenever a contract is entered into by RITES/ IRCON with individuals sent on deputation/ secondment abroad, a clause should be incorporated in such contracts, indicating that in case the Railway**

employee does not revert to the Railway at the end of the sanctioned tenure, he will render himself liable to disciplinary action and the period of such over-stayal may be treated as unauthorised absence.

4.7 While notifying their requirements RITES and IRCON should give complete details of the type of person required in various categories and grades for secondment/ deputation and as much as possible details about the country of secondment, expected emoluments and other benefits etc. and the job requirements. The communication calling for volunteers should be addressed to CPOs and the HODs concerned by name. It shall be the responsibility of the CPOs of the Zonal Railways/Production units to ensure that notification calling for volunteers is given wide publicity and it reaches the line staff well in advance of the last date of calling for application.

4.8 After scrutinizing the applications received and weeding out the volunteers who do not fulfil the requirements, a selection should be carried out at the various Railway Headquarters by a Selection Committee which would have one nominated representative of the HOD concerned. Based on the above selection, a merit list will be prepared separately for each Railway duly countersigned by the concerned HOD. Due consideration for seniority, experience and ability of the candidates with special regard for job requirement will be given by the Selection Committee. Thereafter, the selection made in the various Railways/ Production Units will be consolidated into one list by RITES/ IRCON on the basis of "selection-cum-merit", in consultation with the client country where necessary. The finally selected list should be sent to the Ministry of Railways (Railway Board) indicating vigilance/DAR clearance for their approval.

<a href="#">[E(NG)II/78/DP/37</a>	<a href="#">dated</a>	<a href="#">13.2.197,</a>
<a href="#">E(NG)I/81/DP/38</a>	<a href="#">dated</a>	<a href="#">19.6.1981,</a>
<a href="#">E(NG)I/82/DP/32</a>	<a href="#">dated</a>	<a href="#">26.8.1982,</a>
<a href="#">E(NG)I/84/DP/18</a>	<a href="#">dated</a>	<a href="#">4.8.1984,</a>
<a href="#">E(NG)I/84/DP/7</a>	<a href="#">dated</a>	<a href="#">7.8.1984,</a>
<a href="#">E(NG)I/82/DP/70</a>	<a href="#">dated</a>	<a href="#">30.3.1985,</a>
<a href="#">E(NG)I/84/DP/23</a>	<a href="#">dated</a>	<a href="#">27.6.1985,</a>
<a href="#">E(NG)I/84/DP/23</a>	<a href="#">dated</a>	<a href="#">23.7.1985,</a>
<b>O.</b>	<b>M.</b>	<b>No. <a href="#">5(25)/85/BPE</a></b>
		<b>(PESB)</b>
		<b>dated</b>
<a href="#">E(NG)I/85/DP/12</a>	<a href="#">dated</a>	<a href="#">25.10.1985. (RBE</a>
<a href="#">E(NG)I/85/SR6/23</a>	<a href="#">dated</a>	<a href="#">26.12.1985,</a>
<a href="#">F(E)II/86/DE</a>	<a href="#">1/1</a>	<a href="#">dated</a>
<a href="#">E(NG)I/84/DP/10</a>	<a href="#">dated</a>	<a href="#">8.5.1986. (RBE</a>
<a href="#">E(NG)I/86/DP/29</a>	<a href="#">dated</a>	<a href="#">27.11.1986. (RBE</a>
<a href="#">86-E(O)II/19/23</a>	<a href="#">dated</a>	<a href="#">30.9.1986,</a>
<a href="#">E(NG)I/86/DP/25</a>	<a href="#">dated</a>	<a href="#">11.3.1987. (RBE</a>
<a href="#">E(NG)I/84/DP/23</a>	<a href="#">dated</a>	<a href="#">18.3.1987,</a>
<a href="#">E(NG)I/84/DP/23</a>	<a href="#">dated</a>	<a href="#">29.8.1988. (RBE</a>
<a href="#">E(NG)I/84/DP/24</a>	<a href="#">dated</a>	<a href="#">1.11.1989.]</a>

## 5. [Deputation of Railway employees to Departments/Offices](#)

**5.1 The period of deputation shall be subject to a maximum of 3 years in all cases except for those posts here a longer period is prescribed.**

**([F\(E\)II/70/FS 1 dated 17.1.1976](#))**

**5.2 Extension beyond the above limit by one year may be granted with the approval of the Board (MS) if such extension is considered necessary in public interest.**

**5.3 The borrowing Ministries/ Departments may extend the period of deputation for the fifth year or for the second year in excess of the period prescribed in the recruitment rules where absolutely necessary subject to the following conditions -**

- i. While according extension for the fifth year or the second year in excess of the period prescribed in the recruitment rules, the directive issued for rigid application for the tenure rules should be taken into consideration and only in rare and exceptional circumstances, such extension should be granted,**
- ii. The extension should be strictly in public interest and with the specific prior approval of concerned Minister the of borrowing Department/Ministry.**
- iii. Where such extension is granted, it would be on the specific understanding that the officer would not be entitled to draw deputation (duty) allowance.**
- iv. Extension would be subject to the prior approval of the lending organisation and the officer on deputation.**

**In cases where the extension is beyond fifth year or beyond the second year in excess of the period prescribed in the recruitment rules, the same would be allowed only after obtaining prior approval of the DOP&T. Proposals in this regard should reach DOP&T at least 3 months before the expiry of the extended tenure.**

**When extension of the period of deputation is considered, the period of extension may be so decided upon as to enable the officer concerned to continue on deputation till completion of the academic year in cases where the officer has school/college going children.**

**For computing the total period of deputation the period of deputation including the period of deputation in another ex-cadre post held immediately preceding the current appointment shall also be taken into account.**

**6. The families of Railway employees on secondment abroad on foreign service terms, left behind in India will be entitled to the medical facilities under the Retired Railway Employees Contributory Health Scheme in terms of para 624 of Indian Railway Medical Manual (IRMM) as amended from time to time.**

**([78/H/6/1/027 dated 21.9.1978](#))**

**7. Refusal to proceed on deputation:**

Such of those staff who withdraw their nominations for deputation after being selected will be debarred from future deputation for a period of three calendar years following the year of refusal.

**(E(NG)II/79/DP/50 dated 6.9.1979.)**

- 8. On reversion from deputation post, the employee concerned might be allowed leave not exceeding 2 months by the borrowing Ministry/ Department/ Organisation. For any leave beyond the period of 2 months, the employee should apply to his cadre controlling authority.**

**(F(E)II/88/DE 1/1 dated 17.2.1989 (RBE 48/1989))**

**9. Passes & PTO's during deputation/secondment:**

Eligibility and entitlement of passes and PTOs for Railway employees during their period of deputation is given in Annexure- III (Schedule III of Pass Rules 1986)(Pass Rules 19).

- 10. Retention or otherwise of Railway quarters by Railway employees during deputation/ secondment.**

**10.1 Deputation and Secondment in India**

- i. An employee on deputation to another Ministry/Department of Central or State Government in India may be permitted to retain the Railway quarter on the same terms and conditions as applicable in the case of permanent transfer.

Services in any public sector undertaking/ company under any Ministry/ Department of Central or State Governments excluding the public sector undertakings under the Ministry of Railways, will be treated as service on deputation for the purpose of retention of quarters; and

- ii. In the case of deputation and secondment to public sector undertakings under the Ministry of Railways e.g., RITES, IRCON, COFIS, CRIS, IRFC, RCT, IRWO, CONCOR the instructions issued from time to time will continue to apply.

**[E(G)85 QR 1/9 dated 15.1.1990. (RBE 8/1990) & 8.1.1991. (RBE 5/1991)]**

- 10.2 An employee on deputation abroad may be permitted to retain the Railway Quarter as follows:-**

- a. For the entire period of deputation abroad provided family passage facility is not availed of;  
b. In case an employee avails of the family passage concession, he/she may be permitted to retain the quarter for a period of two

months or upto the date of departure of family in India, whichever is earlier.

**NOTE:** (i) "Deputation abroad" means transfer of an employee for service abroad, during which period, the pay and allowances of the employee is charged to the Government of India revenue.

(ii) Railway employees posted abroad in the Indian Missions against posts, pay and allowances of which are borne by the Ministry of Railways will be treated as on permanent transfer for the purpose of retention of quarter.

11. With a view to ensuring that the Railway servant keeps himself abreast of upto date knowledge of Railway working a "cooling off" period of three years should be observed between two non Railway assignments including for sponsoring a Railway servant for a foreign assignment after return from the last deputation/ non-Railway assignment in India.

[\[E\(O\)II/71/DE-1/A/18 dated 15.9.1971\]](#)

12. Prior approval of the competent authority is necessary whenever any Railway Employee is sent on deputation work as Paid Secretary, Manager, Accountant etc of a Railway Employees Co-operative Store, Credit Societies, Banks. In such cases they will be treated as on deputation on usual foreign service terms and the requisite contributions towards leave, pension, PF, Bonus, Gratuity etc will be paid by the above organisation to the Railway Administration.

([Para 2337](#) of IREM Vol. II)

13.

- i. While referring to this circular, the original letters referred to herein should be read for a proper appreciation. This Circular is only a consolidation of the instructions issued so far and should not be treated as a substitution to the originals. In case of doubt, the original circulars should be relied upon as authority.
- ii. The instructions contained in the original circulars referred to have only prospective effect from the date of issue unless specifically indicated otherwise in the concerned circular. For dealing with old cases, the instructions in force at the relevant time should be referred to; and
- iii. If any circular on the subject, which has not been superseded has not been taken into consideration while preparing this consolidated letter, the said circular, which has been missed through oversight should be treated as valid and operative. Such missing circular, if any, may be brought to the notice of the Railway Board.

The consolidation has been made from the following circulars :-

1. [F\(E\)II/86/DE 1/1 dated 25.3.1986](#) and DOP&W's O.M. [4\(12\)85/P&PW dated 31.3.1987](#)

2. [E\(NG\)I/89/DP/24 dated 1.11.1989](#) (RBE 269/1989).
3. DOP&T's O. M. No. [28016/5/85-Estt.\(c\) dated 31.3.1986](#) and M/o Railway's letter No. [F\(E\)II/84/PN 1/4 dated 25.6.1987](#) (RBE 331/1987).
4. M/o Home affairs' letter No. 120/5/79-SKM dated 6.5.1982
5. DOP&T's O. M. No. [F/18/10/91-FA\(UA\) dated 20.6.1991](#)
6. [F\(E\)II/88/DE 1/1 dated 17.2.1989](#) (RBE 48/1989).
7. [E\(NG\)II/78/DP/37 dated 13.2.1979.](#)
8. [E\(NG\)I/81/DP/38 dated 19.6.1981.](#)
9. [E\(NG\)I/82/DP/32 dated 26.8.1982.](#)
10. [E\(NG\)I/84/DP/18 dated 4.8.1984.](#)
11. [E\(NG\)I/84/DP/7 dated 7.8.1984.](#)
12. [E\(NG\)I/82/DP/70 dated 30.3.1985.](#)
13. [E\(NG\)I/84/DP/23 dated 27.6.1985.](#)
14. [E\(NG\)I/84/DP/23 dated 23.7.1985.](#)
15. O. M. No. [5\(25\)/85/BPE \(PESB\) dated 28.8.1985.](#)
16. [E\(NG\)I/85/DP/12 dated 25.10.1985.](#) (RBE 293/1985)
17. [E\(NG\)I/85/SR6/23 dated 26.12.1985.](#)
18. [E\(NG\)I/84/DP/10 dated 8.5.1986.](#) (RBE 93/1986)
19. [E\(NG\)I/86/DP/29 dated 27.11.1986.](#) (RBE 227/1986)
20. [86-E\(O\)II/19/23 dated 30.9.1986.](#)
21. [E\(NG\)I/86/DP/25 dated 11.3.1987.](#) (RBE 50/1987)
22. [E\(NG\)I/84/DP/23 dated 18.3.1987.](#)
23. [E\(NG\)I/84/DP/23 dated 29.8.1988.](#) (RBE 194/1988)
24. [E\(NG\)I/84/DP/24 dated 1.11.1989.](#)
25. [F\(E\)II/70/FS 1 dated 17.1.1976.](#)
26. [78/H/6/1/027 dated 21.9.1978.](#)
27. [E\(NG\)II/79/DP/50 dated 6.9.1979.](#)
28. No. [E\(G\)85 QR 1/9 dated 15.1.1990.](#) (RBE 8/1990)
29. No. [E\(G\)85 QR 1/9 dated 8.1.1991.](#) (RBE 5/1991)
30. No. [E\(O\)II/71/DE-1/A/18 dated 15.9.1971.](#)

#### Supplementary Circulars and subsequent letters.

1. Supplementary Circular No. 2 vide Railway Board's letter No. [E\(NG\)I-2000/DP/43 dated 18.4.2001](#) (RBE 76/2001)
2. Supplementary Circular No.3 vide Railway Board's letter No. [E\(NG\)I/2000/DP/43 dated 4.9.2001](#) (RBE 181/2001).

**PROFORMA FOR PROPOSAL FOR EXTENSION OF TERM OF DEPUTATION BEYOND 3 YEARS IN PUBLIC SECTOR UNDERTAKINGS**

- A. Particulars of the individual**
- Name :**  
**Service & Level :**  
**Data of birth :**
- B. Deputed to**  
**For (indicate project, designation and Grade) :**  
**From :**  
**Upto :**
- C. Proposal for Extension**  
**Project for which extension proposed :**  
**Period of extension :**  
**Justification :**  
**Date of induction of the officer in the Project :**  
**Likely date of completion of the project :**  
**Successor plan if any :**  
**Whether certificate of adherence to guidelines signed by MD attached :**  
**Whether parent Railway's approval to the proposed extension has been obtained :**

**( DESIGNATION )**

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**Supplementary Circular No. 1 - Instructions on Extension of deputation should be scrupulously observed vide Railway Board's letter No. [E\(NG\)I/97/DP/12 dated 18.12.2000](#) (218/2000).**