

## 16: Deputation Policy

**Title:** Deputation policy

**Scope:** It will be applied to all employees of company, Govt/ autonomous / non autonomous / Semi-Autonomous Companies. To encourage a company and employee to be a learning one.

**Procedure:**

The deputation policy of company effective intended to be simple and realistic.

### A. **DEPUTATION**

#### 1. General Conditions:

##### **Eligibility and Deputation Period**

- A. (i) Employees with bad service record (mentioned below) will not be considered for deputation abroad:
  - (ii) No enquiry is pending
  - (iii) No penalty has been imposed on him during last 5 years less minor penalty of “Censure”
  - (iv) No adverse remarks have been communicated in the PERs/ACR during last 5 years.
- B. Employees with less than two years of service or on probation shall not be eligible to apply for deputation.
- C. Deputation Local/Foreign will be allowed for 3 years initially. Extendable upto 2 years with the prior approval of competent authority. The restriction of maximum period is not applicable to the DISCOs employees who are on deputation in the departments falls under the administrative control of Ministry of Energy (Power Division).

- D. On completion of the maximum period of 5 years both the lending and borrowing company should ensure the immediate re-patriation of the deputationist.
- E. Employees who have been on deputation abroad shall not be eligible for deputation again unless they put in 2 years service after their repatriation from foreign service.
- F. Not more than 10% employees in all grades will be allowed to take up overseas / local employment on deputation.
- G. The employee who has executed a surety for a specified period shall not be eligible to apply for deputation abroad before he has rendered the minimum service prescribed in the surety bond. However, where an employee wants to go on deputation abroad during the surety bond period, his case may be considered provided the surety bond money is paid for the remaining surety bond period on prorata basis.
- H. Ordinarily employee allowed deputation will not change the firm organization. However in case of change the firm / organization employee will intimate and refer the case to respective competent authority for regularization of the same.
- I. Following preventive measures should be adopted while processing the foreign deputation cases of the employees with the special attention in the countries like Canada, USA, Britain, European Union and Australia etc: -
  - a. The offer of employment from foreign employer provided by the employee must be got verified from the concerned foreign company secretly through authentic source of electronic media such as telephone/video call and email, etc without involving the employee seeking deputation.
  - b. Get verification from borrowing Foreign Company annually that the employee is still working there physically through confidential electronic media.
  - c. At the time of processing foreign deputation cases, embassy of the respective country should also be taken on board and it should be ensured that the employee is not proceeding to that country on immigration visa.
  - d. All the above correspondence should be made confidentially without involving the employee concerned and the staff of the respective office.

If at any belated stage such maneuvering is pointed out, the concerned deputationist and the dealing office will be held

responsible and action under relevant disciplinary rules will be initiated against them.

## **2. Competent Authorities**

Request for deputation shall be forwarded through proper channel. Permission to forward applications and approval of deputation will be given by the following officers less private organization keeping in view the availability of the employee and the interest of Company. However, extension in deputation beyond 5 years will be granted by respective competent authorities given below whereas cases of deputation with private organization / firms.

(i)	For employees in BPS-1 to 16	DG (HR)
(ii)	For officers working on the posts carrying BPS-17, 18 & 19	CEO of concerned company
(iii)	For officers working on the posts carrying BPS-20 and above	Board of Directors of concerned company

## **3. Conditions after proceeding on deputation**

- A. Employees on deputation shall resume duty at the end of the approved deputation period. They shall be warned by respective DISCO for their repatriation before the expiry of their approved deputation period. The employees who fail to report back on completion of their initially approved/extended period of deputation shall render themselves liable disciplinary action under Rules.
  
- B. DISCO employees will be paid salary by the Company till the date they are relieved for proceeding on deputation and with effect from the date they report back for duty.

C. During the period of deputation, the DISCO employees will not be entitled to medical facilities in respect of themselves and family members at the expense of DISCO or parent Company.

D. Borrowing organization/departments or the employee shall pay remit the pension contribution, EPF/GPF, WWF and GLI (if applicable) for the period of deputation on yearly basis at the salary admissible to the employee in DISCO/Company. The contribution will be paid in the currency in which the employee draws his salary abroad after one year borrowing agency shall certify that the employee is still working in the same organization.

(ii) The amount shall be remitted to the Finance Department of parent company, by the 15<sup>th</sup> of each month. The employee who fails to remit the same for a period of three consecutive months, his deputation shall be liable to be cancelled and be directed to report back for duty in DISCO/Company. In case he fails to report back for duty, necessary disciplinary action

F. (i) The leave terms of the employee during the period of his deputation will be regulated according to the rules of, or the terms and conditions offered by, the borrowing government/ Organization. Leave salary due in respect of such leave will be payable by the borrowing Government or Organization to the person concerned.

(ii) No part of leave earned by him during the period of service will be credited to his leave account with DISCO nor will any liability in respect of leave salary on account of such leave devolve on DISCO. DISCO will not recover any leave salary contribution from the borrowing Government/ Organization or the employee.

G. On the expiry of approved deputation period, the employee will report his arrival in DISCO and a certificate will be obtained within a period of one month from the concerned (Finance, Accounts ) Department, to the effect that pension contribution, EPF/GPF, WWF and GLI (if applicable) has been paid in full by the employee and issuance of this certificate will not be delayed by the concerned finance formation.

#### 4. Seniority and Promotion

- A. A DISCO employee on deputation abroad will be considered for promotion only after he resumes duty on return to Parent Company and earns a Performance Evaluation Report for full year. An employee who is falling within promotion zone, will be given due intimation to return to DISCO/company concerned, so that he can earn at least one full year Performance Evaluation Report of his work and conduct before his case came up for consideration by the respective Selection Board. PERs of employees for the period they remain on deputation to the foreign Govt./International Agencies etc. will not be called and the work and performance of such employees will be deemed to be good as long they continue to work in these organization.
- B. If an employee returns to DISCO, he will be considered for promotion in normal course. If he does not return in response to an intimation by DISCO, his case will be deferred till he returns to DISCO on completion of Deputation period, and earns performance evaluation Report on his work and conduct for full one year after he resumes duty. If approved for promotion, he will regain his original seniority.
- C. The name of employee would be brought back on the seniority list only after the employee resumes duty on return. In such cases, the employee must earn a PER for one full year before he is considered for promotion. If approved for promotion, he will not regain his seniority. He will be assigned seniority in the higher post only from the date he assumes its charge.

- I. During the period of deputation, the DISCO employees will not be entitled to free supply of electricity. Whereas in case of local deputationist can have free supply facility provided that borrowing company will pay the charges of it as per his entitlement.
- J. The departments falls under the administrative control of Ministry of Energy (Power Division) / On Local Deputation employees who have been allotted official accommodation will retain the same and standard rent will be charged from parent company to borrowing Company. In case of foreign deputation the accommodation retained by employee going on deputation will within one month of deputation orders should vacate the house.
- K. Deputation reserved posts to be created in order to enable recruitment (on contract) against vacancies created in each grade.

#### **10. Repatriation and Permanent Absorption**

- A. Employees who are on deputation in DISCO or vice versa for more than 5 years will be eligible for permanent absorption, if desired by the deputationist and agreed by the lending and borrowing organizations, subject to approval of the competent authority. The permanent absorption in DISCO will be considered only if relevant Service rules have a provision of induction against that post in direct quota and it will be treated as an appointment afresh with pay protection and seniority at the bottom of the cadre.

In case the borrowing organization forwards requisition, supported by the option of the deputationist, for permanent absorption of a DISCO employee, it will require NOC from DISCO. The lien of DISCO Employee will be terminated with effect from the date of absorption in the borrowing organization.

After 5 years of deputation, the borrowing agencies/departments shall be advised within reasonable time to arrange for absorption of the deputationist, provided he also opts so, and the lien with DISCO shall be terminated. If he is unwilling to do so the deputationist will be invariably recalled.

However, it will be the duty of borrowing agency to repatriate the employee.

In case a requisition, accompanied by the request of the deputationist, to absorb him in the borrowing organization before ten years period is made, the same will be considered by his competent authority on case to case basis.

- I. An employee on deputation within country who is due to retire from service either on completion of 31 years of qualifying service or on attaining the age of superannuation, may draw the encashment of LPR from borrowing organization, if he continues to work during the whole period of LPR / last year of his service, without repatriation of his services.
12. The competent authority may amend or modify or relax any of the above provision in public interest.