

No. 4-1(19) / 2024 - Pension
Government of India
Ministry of Communication
Department of Posts
(Pension Section)

Dak Bhawan, Sansad Marg
New Delhi – 110001
Dated: 13 Nov, 2024

To

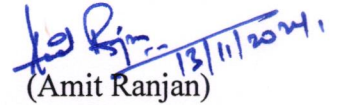
All Heads of Postal Circles
Chief General Manager, BD Directorate / Parcel Directorate / PLI Directorate
All Regional Postmasters General
Director, Rafi Ahmed Kidwai National Postal Academy, Ghaziabad
All Directors/Dy. Directors of Accounts (Postal)

Subject: Re-Circulation of earlier OMs/clarifications issued during October 2022 after Notification of Central Civil Servies (Pension) Rules, 2021-reg.

Sir/Madam,

I am directed to forward herewith a copy of the OM No. 38/10(04)/2024-P&PW(A) (e 10124) dated 18.10.2024 of Department of Pension and Pensioners' Welfare, Ministry of Personnel, Public Grievances and Pensions regarding the aforementioned subject for information and necessary compliance.

Yours faithfully,


(Amit Ranjan)

Assistant Director General (Pension)

Encls.: As above (13 pages)

Copy along with enclosures to:

1. PPS to Secretary (Posts)/DG(Posts)
2. PPS to Member (Banking & DBT) / Plg.& HRD/Tech./Pers./Ops./PLI/Addl. DG(Cord.)
3. AS & FA/ Sr. DDG(PAF)
4. Secretary (PSB)/All DDsG
5. All Regional Postmasters General/GM(G)/DA(P)/DDA(P)
6. All Postal Training Centres
7. Director, CEPT Mysore-for uploading on the official website of the Dept. Of Posts
8. Guard File

F. No. 38/10(04)/2024-P&PW(A) (e 10124)

भारतसरकार Government of India

कार्मिक, लोकशिकायतऔर पेंशनमंत्रालय Ministry of Personnel, PG & Pensions
पेंशनऔर पेंशन भोगी कल्याण विभाग Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan, Khan Market,
New Delhi, Dated the 18th October, 2024

कार्यालय ज्ञापन /OFFICE MEMORANDUM

Subject:- Re-Circulation of earlier OMs/clarifications issued during October 2022 after Notification of Central Civil Services (Pension) Rules, 2021 - reg

The undersigned, in line to ease out Rules and based on past references and clarifications issued by DoPPW in this regarded, is directed to re-circulate the following OMs issued during October 2022 after Notification of CCS(Pension) Rules 2021 for clarifications with respect to Rule 2, Rule 5, Rule 6, Rule 7, Rule 8, Rule 39, Rule 40, Rule 41 and Rule 44 of CCS(Pension) Rules 2021:

Sr. No.	Office Memorandum No and date	Subject
1	38/01(05)/2022-P&PW(A) Dated 10 th October, 2022	Provisions, regarding applicability of CCS (Pension) Rules, 2021-reg.
2	38/01(05)/2022-P&PW(A) Dated 10 th October, 2022	Provisions regarding treatment of the day of retirement/resignation/ death under CCS (Pension) Rules, 2021-reg.
3	38/01(05)/2022-P&PW(A) Dated 10 th October, 2022	Provisions regarding limitations on number of Pension and Gratuities admissible to a government servant under CCS (Pension) Rules, 2021-reg.
4	38/01(05)/2022-P&PW(A) Dated 10 th October, 2022	Provisions regarding withholding or withdrawal of pension/family pension on being convicted of a serious or on being found guilty of grave misconduct under CCS (Pension) Rules, 2021-reg.
5	38/41/2019-P&PW(A) Dated 7 th October, 2022	Amendment of Rule 8 CCS Pension Rules,2021 delegation of powers of president to with hold pension and gratuity to Secretary and C&AG.
6	38/01(05)/2022-P&PW(A) Dated 10 th October, 2022	Provisions regarding sanction of provisional pension and withholding of gratuity during pendency of department/judicial proceedings under CCS (Pension) Rules, 2021-reg.
7	38/01(05)/2022-	Power to withhold or withdraw pension/gratuity in cases of grave

Contd... p/2

	P&PW(A) Dated 26 th October, 2022	misconduct or negligence during the period of service under the CCS (Pension) Rules, 2021.
8	38/01(05)/2022- P&PW(A) Dated 10 th October, 2022	Grant of invalid pension under CCS (Pension) Rules, 2021 on retirement from government service on account of any bodily or mental infirmity.
9	38/01(05)/2022- P&PW(A) Dated 10 th October, 2022	Grant of compulsory retirement pension under CCS (Pension) Rules, 2021 to a government servant who is compulsorily retired from service as a penalty.
10	38/01(05)/2022- P&PW(A) Dated 10 th October, 2022	Grant of compassionate allowance under the CCS (Pension) Rules, 2021 to a government servant who is dismissed or removed from service.
11	38/01(05)/2022- P&PW(A) Dated 26 th October, 2022	Amount and conditions for grant of pension under Central Civil Services (Pension) Rules, 2021.
12	38/01(05)/2022- P&PW(A) Dated 26 th October, 2022	Amount and conditions for grant of additional pension and additional family pension under CCS(Pension) Rules, 2021.

2. All Ministries/Departments are requested that the above OMs may please be brought to the notice of the all concerned for strict compliance.

Encl: as above

Madhu
18.10.24
(Madhu Mankotia)
Under Secretary to the Govt. of India
Tele No.011-24644637

To,

All the Ministries/Departments (As per standard list)

F. No. 38/01(05)/2022-P&PW(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Dated : 10.10.2022

Office Memorandum

Subject: Provisions regarding applicability of Central Civil Services (Pension) Rules, 2021

The undersigned is directed to say that Department of Pension has notified Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. In accordance with Rule 2, these Rules are applicable to the Government servants, including civilian Government servants in the Defence Services, appointed substantively to civil services and posts in connection with the affairs of the Union which are borne on pensionable establishments.

2. These Rules are applicable to the Government servants appointed on or before 31st day of December, 2003. However, the Rules are also applicable to Government servants appointed after 31st December, 2003 in following cases:

(1) A Government servant who was put on induction training on or before 31st day of December, 2003 followed by appointment on regular basis after 31st day of December, 2003 if completion of the induction training was an essential condition for appointment on regular basis to the post, the Government servant was eligible for a salary or a stipend during the period of such training and the period of training was eligible for being counted as qualifying service in accordance with the provisions of Central Civil Services (Pension) Rules, 1972.

(2) A Government servant who was initially appointed on or before 31st December, 2003,-
(i) in an establishment or Department of the Central Government whose employees were covered by a pension scheme other than the Central Civil Services (Pension) Rules, 1972;
or

(ii) in a State Government or an autonomous body under the Central Government or State Government having a non-contributory pension scheme similar to the Central Civil Services (Pension) Rules, 1972,

and was subsequently appointed after 31st December, 2003 in an establishment of a Central Government to which these rules apply, subject to the condition that the said Government servant fulfils all other conditions for counting of service rendered in such establishment of the Central Government or State Government or autonomous body, in accordance with these rules or any general or special order issued in this regard.

(3) A Government servant appointed after 31st December, 2003 to a civil service or post in connection with the affairs of the Union, if he fulfils the conditions for coverage under these rules in accordance with any special or general order issued by the Government in this regard.

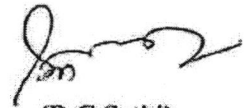
(4) Persons who were regularly appointed in Government service after 31st December, 2003 but were conferred temporary status on or before 31st December, 2003 in accordance with the "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993" notified by Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) and such temporary status is followed without interruption by regular appointment in Government service. Further, as per the provisions of rule 15, fifty percent of the service rendered in 'temporary status' capacity by a

Government servant, who was conferred temporary status on or before 31st December, 2003 and was subsequently regularised in Government service, in accordance with the "Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India, 1993), shall count as qualifying service for the purpose of these rules.

(5) Where in the event of death or discharge from service on the ground of invalidation in the case of a Government servant who, having been appointed to civil services and posts in connection with the affairs of the Union after 31st day of December, 2003, is covered by the Central Civil Services (Implementation of National Pension System) Rules, 2021, the benefits of Invalid Pension under rule 39 and Family Pension under rule 50 shall be payable to the Government servant or his family, as the case may be, if the Government servant had exercised an option to this effect under rule 10 of the Central Civil Services (Implementation of National Pension System) Rules, 2021 or in whose case the default option is for availing benefits under these rules or the Central Civil Services (Pension) Rules, 1972.

3. The cases of Government servants appointed in temporary capacity to civil services and posts in connection with the affairs of the Union on or before 31st day of December, 2003, who retired or were retired before having been appointed in a substantive capacity, the benefits under these rules shall be payable to the Government servant to the extent provided in the Central Civil Services (Temporary Service) Rules, 1965.

4. All Ministries/Departments are requested that the above provisions regarding applicability of the Central Civil Services (Pension) Rules, 2021 may be given wide publicity to all Government servants and more particularly to the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices there under, for strict implementation.



(R.C Sethi)

Deputy Secretary to Government of India

Tel: 24635979

To,
All Ministries/Departments/Organisations (As per standard list)

F. No. 38/01(05)/2022-P&PW(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

Dated: 10.10.2022

Office Memorandum

Subject: Provisions regarding treatment of the day of retirement/resignation/death under the Central Civil Services (Pension) Rules, 2021

The undersigned is directed to say that Department of Pension has notified Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. In accordance with Rule 5 of the Central Civil Services (Pension) Rules, 2021, any claim to pension or family pension shall be regulated by the provisions of those rules in force at the time when a Government servant retires or is retired or is discharged or is allowed to resign from service or dies, as the case may be.

2 Sub-rule (2) of Rule 5 provides that the day on which a Government servant retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last completed working day and the date of death shall also be treated as a completed working day. However, in a case where the Government servant immediately before his retirement or death was absent from duty on leave or otherwise or was under suspension, the day of retirement or death shall be part of such leave or absence or suspension.

3. All Ministries/Departments are requested that the above provisions in the Central Civil Services (Pension) Rules, 2021 regarding treatment of the day of retirement/resignation/death as working day or otherwise may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices there under, for strict implementation.



(R.C Sethi)

Deputy Secretary to Government of India

Tel: 24635979

To,
All Ministries/Departments/Organisations (As per standard list)

F. No. 38/01(05)/2022-P&PW(A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Dated: 10.10.2022

Office Memorandum

Subject: Provision regarding limitations on number of pensions and gratuities admissible to a Government servant under the Central Civil Services (Pension) Rules, 2021.

The undersigned is directed to say that Department of Pension has notified Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. In accordance with Rule 6 of the Central Civil Services (Pension) Rules, 2021, a Government servant shall not earn two pensions in the same service or post at the same time or by the same continuous service. Rule 6 further provides that except as provided in rule 19 or rule 20 (i.e. in the case of a civil Government servant who, after retirement on compensation pension or invalid pension, was re-employed before 31st December, 2003 or a military pensioner who was re-employed in civil service before 31st December, 2003,), a re-employed Government servant shall not be entitled to a separate pension or gratuity for the period of his re-employment. Thus a Government servant who, having retired on a superannuation pension or retiring pension or compulsory retirement pension or who is in receipt of a compassionate allowance on having been dismissed or removed from service, is subsequently reemployed, shall not be entitled to a separate pension or gratuity for the period of his re-employment.

2. Rule 6, however, provides that a Government servant who was previously appointed in an autonomous body or a public sector undertaking and was subsequently appointed, with proper permission of that body or undertaking, in the Government service on or before 31st December, 2003, will be eligible for pension and gratuity for the service rendered in the Government in addition to the pension and gratuity, if any, received by him from the autonomous body or the public sector undertaking for the service rendered in that body or undertaking subject to the condition that the total amount of gratuity in respect of the service rendered in the autonomous body or the public sector undertaking and the service rendered under the Government shall not exceed the amount that would have been admissible taking into account the entire service rendered by the Government servant in the autonomous body or the public sector undertaking and the Government and the emoluments on retirement from Government. In such cases, pension, if any, on account of service rendered in an autonomous body or a public sector undertaking shall be paid by the concerned autonomous body or the public sector undertaking itself and there shall be no liability on the part of the Government towards pension for the service rendered by the Government servant in the said autonomous body or the public sector undertaking before joining service under the Government.

3. A Government servant shall be deemed to have been appointed in the Government with proper permission if he had applied for the service or post in the Government with previous permission of the autonomous body or the public sector undertaking and the order of the autonomous body or the public sector undertaking clearly indicates that the employee is resigning to join the post in the Government with proper permission of the autonomous body or the public sector undertaking, as the case may be.