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No.2-16/2017-PAP
Government of India
Ministry of Communication
Department of Posts
(Establishment Division/P.A.P.Section)

Dak Bhawan, Sansad Marg,
New Delhi – 110 001.
Dated, the 23rd May, 2017.


To

All Chief Postmaster General,
All General Managers (Postal Accounts & Finance),
All Directors of Accounts (Postal),
The Director, Rafi Ahmed Kidwai National Postal Academy, Ghaziabad, U.P.,
All Directors of PTCs.

- Sub: (1) Applicability of Central Civil Services (Revised Pay) Rules, 2016 to persons re-employed in Government Service after retirement and whose pay is debitable to Civil Estimates.
- (2) Fixation of pay of State Govt. Employees on their appointment in Central Govt, subsequent to the implementation of CCS (Revised Pay) Rules, 2016.

I am directed to forward herewith the copies of the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training Office Memorandum (i) No.3/3/2016-Estt. (Pay II) dated 01.05.2017 and (ii) No.12/2/2016-Estt.(Pay I) dated 11.05.2017 on the subjects cited above and as downloaded from the official website of Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training for kind information and further necessary action at your end.

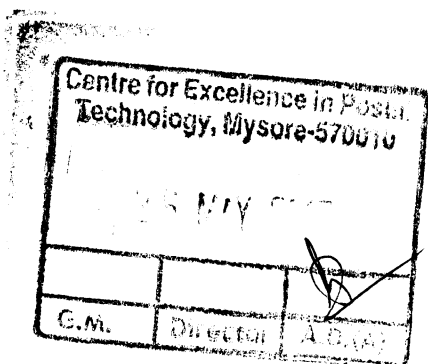
2. Office Memorandum may be circulated to all subordinate offices concerned, with the directions to dispose of all cases on the subjects.

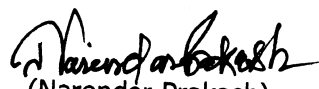

(K.V. Vijayakumar)
Assistant Director General (Estt.)

Encl: As above.

Copy for kind information to :

1. Sr. PPS to Secretary (Posts)/PPS to Director General (Posts).
2. All members of Postal Services Board.
3. JS & FA (Posts).
4. DDG (PAF)/Secy (PSB)/GM (Fin) BDD/CGM (PLI).
5. All other DDsG in Postal Directorate.
6. Guard File.
7. Spare copy.
8. Departmental Website through : CEPT Mysore.




(Narender Prakash)
Section Officer (PAP)

No.12/2/2016-Estt.(Pay-I)

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Personnel and Training

North Block, New Delhi

Dated the 11th May, 2017

OFFICE MEMORANDUM

Subject: Fixation of pay of State Government Employees on their appointment in Central Government, subsequent to the implementation of CCS(RP)Rules, 2016.

The undersigned is directed to state that the method of fixation of pay of State Government employees on their appointment under the Central Government has been spelt out in this Department's OM No.12/1/94-Estt.(Pay-I) dated 24.3.1994, 3.1.1996, OM No.13/2/1999-Estt(Pay-I) dated 18.6.2001 and OM No.12/1/2009-Estt(Pay-I) dated 28.8.2014.

2. The question of fixation of pay in the revised pay structure in cases of appointment from State Government to Central Government consequent upon implementation of Central Civil Services (Revised Pay) Rules, 2016, has been considered in consultation with the Department of Expenditure and the President is pleased to decide that in cases of appointment of State Government employees in Central Government on or after 1.1.2016, pay will be fixed in the following manner:-

(a) Where the State Government has revised the Pay Scales/Grade Pays of their employees on the pattern of Seventh Central Pay Commission **at the base index of 261.41 as per AICPI (IW)2001 series** w.e.f. 1.1.2016, the pay of employees from such State Government on their appointment under the Central Government would be fixed as follows:

(i) When the appointment is to a post in higher Level, one increment shall be given in the Level from which the employee is appointed and he/she would be placed at a Cell equal to the figure so arrived at in the Level of the post to which appointed and if no such Cell is available in the Level to which he/she is appointed, he/she would be placed at the next higher Cell in that higher Level. However, if the amount so arrived at after adding the increment in lower Level is less than the minimum pay or the first Cell in the higher Level, the pay shall be fixed at minimum pay or first Cell of the higher Level.

(ii) Where the appointment is to a post involving identical Level, the individual shall continue to draw the same pay.

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(b) Where the State Government has revised the Pay scales/Grade Pays of their employees after 1.1.2016 **beyond the base index of 261.41 as per AICPI (IW) 2001 series**, the basic pay of the employee is to be determined first in the Central Pay Matrix by reducing the element of DA, ADA, IR etc. granted by the State Government after 1.1.2016 **beyond the base index of 261.41 as per AICPI (IW) 2001 series** and thereafter the pay would be fixed as provided in the clause (i) and (ii) under sub-para (a) above.

(c) Where the State Government has either not revised or revised the pay scale of their employees on or after 1.1.2016 **below the base index of 261.41 as per AICPI (IW) 2001 series**, the basic pay of these employees shall be determined first in the Central Pay Matrix, by adding the element of DA, ADA upto the **base index of 261.41 as per AICPI (IW) 2001 series**, granted by the State Government and thereafter their pay would be fixed as provided in the clause (i) and (ii) under sub-para (a) above.

3. These orders are applicable to employees of the State Government and Local Bodies under the State including Emergency Divisional Accountants/Divisional Accountants appointed under Central Government on or after 1.1.2016.

4. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller & Auditor General of India.

5. Hindi version will follow.

Pushpender Kumar

(Pushpender Kumar)

Under Secretary to the Government of India

To

1. All Ministries / Departments of Government of India.
2. NIC, DO&PT - with a request to upload this OM on the Department's website under OMs & Orders (Establishment → Pay Rules) and also under "What is New".

Copy also forwarded to:

1. Secretary General, Supreme Court of India.
2. Secretaries to Union Public Service Commission / Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/ President's Sectt./Vice-President's Sectt./Prime Minister's Office / Niti Ayog.
3. Controller General of Accounts / Controller of Accounts, Ministry of Finance.

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4. Office of Comptroller & Auditor General of India.
5. Department of Personnel and Training - AIS Division/ JCA/Admn. Section.
6. Additional Secretary (Union Territories), Ministry of Home Affairs/ All State Governments and UTs.
7. Joint Secretary (Pers), Ministry of Finance, D/o Expenditure.
8. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
9. All Members of Staff Side of the National Council of JCM / Departmental Council
10. Deptt. of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare.
11. All Officers/Sections of DoPT.
12. 5 spare copies.

Pushpender Kumar

(Pushpender Kumar)

Under Secretary to the Government of India

PAP
D/o Posts

No. 3/3/2016-Estt. (Pay II)
Government of India
Ministry of Personnel, Public Grievances & Pension
Department of Personnel & Training

North Block, New Delhi
Dated 1.05.2017

OFFICE MEMORANDUM

Subject: Applicability of Central Civil Services (Revised Pay) Rules, 2016 to persons re-employed in Government Service after retirement and whose pay is debitable to Civil Estimates.

The pay fixation of re-employed pensioners on re-employment in Central Government, including that of Defence Forces personnel/officers, is being done in accordance with Central Civil Services (Fixation of Pay of Re-employed Pensioners) Orders, 1986, issued vide this Department's O.M. No. 3/1/85-Estt. (Pay II) dated 31st July, 1986 (as revised from time to time). Persons re-employed in Government service after retirement have been excluded from the purview of the Central Civil Services (Revised Pay) Rules, 2016 vide Rule 2 (2)(vii) thereof. The question of extension of the benefit of the revised pay rules to these persons and the procedure to be followed for fixing their pay in the revised pay structure has been considered by the Government. The President is pleased to decide that, in partial modification of the Rule 2 (2)(vii) of the Central Civil Services (Revised Pay) Rules, 2016, the provisions of these rules shall apply to such persons also who were in / came into re-employment on or after 1st January, 2016, subject to the orders hereinafter contained. This decision will cover all Government servants re-employed in Central Civil Departments other than those employed on contract except where the contract provides otherwise, whether they have retired with or without a pension and/or gratuity or any other retirement benefits, e.g. contributory fund etc. from a civil post or from the Armed Forces.

2. Re-employed persons who become eligible to elect revised pay structure in accordance with these orders should exercise their option in the manner laid down in Rule 5 and 6 of the Central Civil Services (Revised Pay) Rules, 2016, within three months of the date of issue of these orders or in cases where the existing scales of pay of the posts held by them are revised subsequent to the issue of these orders, within three months of the date of such order.

Fixation / drawal of pay of Personnel / Officers re-employed prior to 01.01.2016 and who were in re-employment as on 01.01.2016:

3 (a) The initial pay of a re-employed Government servant who elects or is deemed to have elected to be governed by the revised pay structure from the 1st day of January, 2016 shall be fixed according to the provisions of Rule 7 of the C.C.S. (R.P.) Rules, 2016, if he/she is-

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- (i) a Government servant who retired without receiving a pension, gratuity or any other retirement benefit and
- (ii) a retired Government servant who received pension or any other retirement benefits but which were ignored while fixing pay on re-employment.

3(b) The initial pay of a re-employed Government servant who retired with a pension or any other retirement benefit and whose pay on re-employment was fixed with reference to these benefits or ignoring a part thereof, and who elects or is deemed to have elected to be governed by the revised structure from the 1st day of January, 2016 shall be fixed in accordance with the provisions contained in Rule 7 of the Central Civil Services (Revised Pay) Rules, 2016. Pension (excluding the ignorable portion of pension, if any), as defined in para 3(1) of CCS (Fixation of Pay of Re-employed Pensioners) Orders, 1986 admissible on relevant date, i.e. date of coming over to the revised pay structure, effective from 1.1.2016 or later, shall be deducted from his / her pay in accordance with the general policy of the Government on fixation and subsequent drawal of pay of re-employed pensioners.

3(c) In addition to the pay so fixed, the re-employed Government servant would continue to draw the retirement benefits he / she was permitted to draw in the pre-revised scales, as modified based on the recommendations of the Seventh Central Pay Commission, orders in respect of which have been issued separately by the Department of Pension & Pensioners' Welfare.

3(d) Where a re-employed Government servant elects to draw his / her pay in the existing pay structure and is brought over to revised pay structure from a date later than the 1st day of January, 2016, his /her pay from the later date in the revised scale shall be fixed in accordance with the provisions of Rule 11 of the Central Civil Services (Revised Pay) Rules, 2016.

4. Further, the existing ceiling of Rs. 80,000/- for drawal of pay plus gross pension on re-employment is enhanced to Rs.2,25,000/-, the maximum basic pay prescribed for Secretary to the Government of India under Central Civil Services (Revised Pay) Rules, 2016.

Ignorable part of Pension

5. The President is also pleased to enhance the ignorable part of pension from Rs. 4000/- to Rs. 15,000/- (Rupees Fifteen Thousand) in the case of Commissioned Service Officers and Civil Officers holding Group 'A' posts who retire before attaining the age of 55 years. The existing limits of civil and military pensions to be ignored in fixing the pay of re-employed pensioners will, therefore, cease to be applicable to cases of such pensioners as are re-employed on or after 1.1.2016.

6. In the case of persons who were already on re-employment as on 01.01.2016, the pay may be fixed on the basis of these orders, with effect from the date of coming

over to the new pay structure, i.e. 01.01.2016 or later, as per the option exercised by them in terms of para 2 above. In such case, their terms would be determined afresh as if they have been re-employed for the first time from such date of coming over to the new pay structure.

Fixation / drawal of pay of employees appointed on re-employment basis on or after 1st day of January, 2016

7. Pursuant to the introduction of the system of Pay Matrix vide the Central Civil Services (Revised Pay) Rules, 2016, the President is further pleased to amend the relevant provisions of CCS (Fixation of Pay of re-employed Pensioners) Orders, 1986 in the manner indicated below: -

Existing provision (1986 Orders read with OM dated 5 th April 2010)	Revised provision
<p>Para 4(a): Re-employed pensioners shall be allowed to draw pay only in the prescribed pay scale/pay structure of the post in which they are re-employed. No protection of the scales of pay/pay structure of the post held by them prior to retirement shall be given.</p> <p><i>Note: Under the provisions of CCS (RP) Rules, 2008, revised pay structure comprises the grade pay attached to the post and the applicable pay band.</i></p>	<p>Order 4(a): Re-employed pensioners shall be allowed to draw pay only in the Level in the revised pay structure applicable to the post in which they are re-employed. No protection of the scales of pay/pay structure of the post held by them prior to retirement shall be given.</p> <p><i>Note: Revised pay structure in relation to a post will be as defined in Rule 3(ix) of the Central Civil Services (Revised Pay) Rules, 2016.</i></p>
<p>Para 4(b)(i): In all cases where the pension is fully ignored, the initial pay on re-employment shall be fixed as per entry pay in the revised pay structure of the re-employed post applicable in the case of direct recruits appointed on or after 1.1.2006 as notified vide Section II, Part A of First Schedule to CCS (RP) Rules, 2008.</p>	<p>Order 4(b)(i): In all cases where the pension is fully ignored, the initial pay on re-employment shall be fixed as per Rule 8 of the Central Civil Services (Revised Pay) Rules, 2016.</p> <p><i>Note 1: The case where pension is fully ignored is given in Order 4 (d) below.</i></p> <p><i>Note 2: Pension is fully ignored means that pension is not deducted from pay.</i></p>
<p>Para 4(b)(ii): In cases where the entire pension and pensionary benefits are not ignored for pay fixation, the initial basic pay on re-employment shall be fixed at the same stage as the last basic pay</p>	<p>Order 4(b)(ii): In cases where the entire pension and pensionary benefits are not ignored for pay fixation, the initial basic pay on re-employment shall be fixed at the same stage as the last basic pay drawn</p>

drawn before retirement. However, he shall be granted the grade pay of the re-employed post. The maximum basic pay cannot exceed the grade pay of the re-employed post *plus* pay in the pay band of Rs.67000 i.e. the maximum of the pay band PB-4. In all these cases, the non-ignorable part of the pension shall be reduced from the pay so fixed.

Illustration

A Colonel who retired with basic pay of Rs.61700 (grade pay Rs.8700; pay in the pay band Rs.53000) is re-employed as a Deputy Secretary in an organization with grade pay of Rs.7600. In this case, on re-employment, his basic pay will continue to be Rs.61700. However, his grade pay on re-employment will be Rs.7600 and the pay in the pay band Rs.54100. Thereafter, the non-ignorable part of the pension will be reduced from the pay so fixed.

Note: In the revised pay structure, basic pay is pay in the pay band plus the grade pay attached to the post.

before retirement. If there is no such stage in the re-employed post, the pay shall be fixed at the stage next above that pay. If the maximum pay in the Level applicable to the post in which a pensioner is re-employed is less than the last basic pay drawn by him before retirement, his initial basic pay shall be fixed at such maximum pay of the re-employed post. Similarly, if the minimum pay in the Level applicable to the post in which a pensioner is re-employed is more than the last basic pay drawn by him before retirement, his initial basic pay shall be fixed at such minimum pay of the re-employed post. However, in all these cases, the non-ignorable part of the pension shall be reduced from the pay so fixed.

Note 1: Revised pay structure in relation to a post will be as defined in Rule 3(ix) of the Central Civil Services (Revised Pay) Rules, 2016.

Note 2: "Basic Pay" in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix.

Note 3: Last pay drawn shall be as per definition of pre-retirement pay in terms of Order 3 of the CCS (Fixation of Pay of re-employed Pensioners) Orders, 1986, read with DoPT OM No. 3/19/2009-Estt.(Pay-II) dated 8th November 2010.

Para 4(c): The re-employed pensioner will, in addition to pay as fixed under Para (b) above shall be permitted to draw separately any pension sanctioned to him and to retain any other form of retirement benefits.

Order 4(c): No change

<p>Para 4(d): In the case of persons retiring before attaining the age of 55 years and who are re-employed, pension (including PEG and other forms of retirement benefits) shall be ignored for initial pay fixation in the following extent:-</p> <p>(i) In the case of ex-servicemen who held posts below Commissioned Officer rank in the Defence Forces and in the case of civilians who held posts below Group 'A' posts at the time of their retirement, the entire pension and pension equivalent of retirement benefits shall be ignored.</p> <p>(ii) In the case of Commissioned Service officers belonging to the Defence Forces and Civilian pensioners who held Group 'A' posts at the time of their retirement, the first Rs.4000/- of the pension and pension equivalent retirement benefits shall be ignored.</p>	<p>Order 4(d): In the case of persons retiring before attaining the age of 55 years and who are re-employed, pension (including PEG and other forms of retirement benefits) shall be ignored for pay fixation to the following extent:-</p> <p>(i) No change</p> <p>(ii) In the case of Commissioned service officers belonging to the Defence Forces and Civilian pensioners who held Group 'A' posts at the time of their retirement, the first Rs. 15,000/- of the pension and pension equivalent retirement benefits shall be ignored.</p>
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8. Apart from the above, it is also clarified as under: -

- (i) **Drawal of increments:** Once the initial pay of the re-employed pensioner has been fixed in the manner indicated above, he will be allowed to draw normal increments as per the provisions of Rule 9 and 10 of CCS (RP) Rules, 2016 read with Order 5 of the CCS (Fixation of Pay of re-employed Pensioners) Orders, 1986.
- (ii) **Treatment of Military Service Pay (MSP):** MSP is granted to Defence Forces officers/personnel while they are serving in the Defence Forces. Accordingly, on their re-employment in civilian organizations, including secret organizations under the Cabinet Secretariat umbrella, the question of grant of MSP to such officers/personnel does not arise. However, the benefit of MSP in the pension should not be withdrawn. Accordingly, while the pension of such re-employed pensioners will include the element of MSP, they will not be granted MSP as part of pay while working in civilian organizations. Also, in respect of all those Defence Officers / personnel, whose pension contains an element of MSP and whose pay on re-employment is subject to deduction of pension (excluding the ignorable portion, if any), the element of MSP as contained in the pension shall be ignored while deducting the pension at the time of pay fixation. In other words, the MSP portion of the pension need not be deducted from the pay fixed on re-employment.

- (iii) **Fixation / drawal of pay of re-employed persons who retired prior to 1.1.2016 and who have been re-employed after 1.1.2016, and whose entire pension and pensionary benefits are not ignored for pay fixation:** The pay on re-employment will be fixed in terms of Order 4(b)(ii) of the CCS (Fixation of Pay of Re-employed Pensioners) Orders, 1986, as amended above, after **notionally** arriving at their revised basic pay at the time of retirement as if they had retired under the revised pay structure, in terms of Rule 7 of the Central Civil Services (Revised Pay) Rules, 2016. In all these cases, the non-ignorable part of the pension shall be reduced from the pay so fixed. Regulation of MSP, however, shall be as per clarification in para 8(ii) above.
- (iv) **Fixation / drawal of pay in all other cases:** Pay fixation in cases not covered in Order 4(d) will be as per the general principle of 'pay minus pension', i.e. while the last pay drawn shall be reckoned for pay fixation, the entire pension shall be deducted from the pay so fixed. Regulation of MSP, however, shall be as per clarification in para 8(ii) above.

9. An undertaking may be obtained from re-employed pensioners who opt / are deemed to have opted for the revised pay structure to the effect that, they understand and agree that the special dispensation provided through this O.M. is subject to the condition of deduction of pension as admissible to them from time to time, wherever required as per extant instructions.

10. These instructions shall apply in respect of those re-employed pensioners who are re-employed against civil posts carrying pay upto Level 17 of the Pay Matrix of CCS(RP) Rules, 2016.

11. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders are being issued after consultation with the Comptroller & Auditor General of India.

12. These orders shall take effect from 1.1.2016.



(Pushpender Kumar)

Under Secretary to the Government of India.

To

✓ All Ministries/Departments of the Government of India (As per standard list)

Copy to : Director (NIC), Department of Personnel & Training, to upload the O.M. on this Department's website under the Head "Notifications – OMs and Orders – Establishment", Sub-Head "Pay Rules".

Copies also forwarded to:

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| 1. Secretaries to UPSC/Supreme Court of India/Election Commission/ Rajya Sabha |
| Secretariat/Lok Sabha Secretariat/Cabinet Secretariat/Central Vigilance |

Commission/President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Planning Commission/C&AG of India.

2. Controller General of Accounts/Controller of Accounts, Ministry of Finance.

3. Department of Personnel & Training (AIS Division)/JCA/Admn. Section.

4. Additional Secretary (Union Territories), Ministry of Home Affairs.

5. All State Governments and Union Territories.

6. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi

7. All Members of the Staff Side of the National Council of JCM/Departmental Council.

8. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners' Welfare.

9. Ministry of Finance, Department of Expenditure.

10. 50 spare copies for Estt(Pay.II) Section.



(Pushpender Kumar)

Under Secretary to the Government of India.

UNDERTAKING

(To be given by persons who are on re-employment on or after 01.01.2016 and who have chosen / are deemed to have chosen to be governed by the CCS (Revised Pay Rules), 2016, in terms of Department of Personnel and Training Office Memorandum No. 3/3/2016-Estt.(Pay-II) dated 1.5.2017)
(Para 9 of the OM No. 3/3/2016-Estt.(Pay-II) dated 1.5.2017 refers)

I, _____, S/o / W/o / D/o _____, hereby undertake that I understand and agree that the special dispensation of pay fixation under the Central Civil Services (Revised Pay) Rules, 2016 provided to me through the O.M. No. 3/3/2016-Estt.(Pay-II) dated 1.5.2017 is subject to the specific condition of deduction of pension as admissible to me from time to time, wherever required as per extant instructions.

Signature _____

Name _____

Designation _____

Date :

Place :