

No. 3/13/2008-Estt. (Pay II)

Government of India

Ministry of Personnel, Public Grievances & Pension

Department of Personnel & Training

11th November
New Delhi, the ~~October~~, 2008.

OFFICE MEMORANDUM

Subject: Applicability of CCS (RP) Rules, 2008 to persons re-employed in Government Service after retirement and whose pay is debitable to Civil Estimates.

Persons re-employed in Government service after retirement have been excluded from the purview of the Central Civil Services (Revised Pay) Rules, 2008 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 scales 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, 2008, the provisions of these rules shall apply to such persons also who were in re-employment on 1st January, 2006, 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 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(I). The initial pay of a re-employed Government servant who elects or is deemed to have elected to be governed by the revised pay scale from the 1st day of January, 2006 shall be fixed in the following manner namely -

According to the provisions of Rule 7 of the C.C.S. (R.P.) Rules, 2008, if he is-

- (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."

2 (II). 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 scales from the 1st day of January, 2006 shall be fixed in accordance with the provisions contained in Rule 7 of the Central Civil Services (Revised Pay) Rules, 2008. In addition to the pay so fixed, the re-employed Government servant would continue to draw the retirement benefits he was permitted to draw in the pre-revised scales, as modified based on the recommendations of the Sixth Central Pay Commission, orders in respect of which have been issued separately by the Department of Pension & Pensioners Welfare. However, an amount equivalent to the revised pension (excluding the ignorable portion of pension, wherever permissible), effective from 1.1.2006 or after, shall be deducted from his pay in accordance with the general policy of the Government on fixation of pay of re-employed pensioners. Annual increments will be allowed in the manner laid down in Rule 10 of Central Civil Services (Revised Pay) Rules, 2008, on the entire amount of pay as if pension had not been deducted.

3. Re-employed persons who become eligible to elect revised scales in accordance with these orders should exercise their option in the manner laid down in Rule 6 of the Central Civil Services (Revised Pay) Rules, 2008, 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 orders/notification revising the scales.

4. Where a re-employed Government servant elects to draw his pay in the existing scale and is brought over to revised scale from a date later than the 1st day of January, 2006, his 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, 2008.

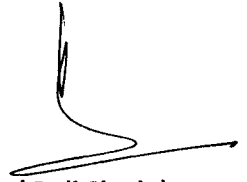
5. Further, the existing ceiling of Rs. 26000/- for drawal of pay plus gross pension on re-employment is enhanced to Rs. 80,000/-, the maximum salary payable to the Secretary to the Government of India under Central Civil Services (Revised Pay) Rules, 2008.

6. The President is also pleased to enhance the ignorable part of pension from Rs. 1500/- to Rs. 4000/- (Rupees four 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 1.1.2006. In the case of persons who are already on re-employment, the pay may be fixed on the basis of these orders with effect from 1.1.2006, provided they opt to come under these orders. If they so opt, their terms would be determined afresh as if they have been re-employed for the first time from 1.1.2006. The option should be exercised in writing within three months from the date of issue of these orders. The option once exercised is final.

7. 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.

8. These orders shall take effect from 1.1.2006.



(Roli Singh)

Director to the Government of India.

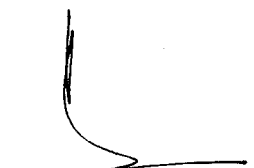
To

All Ministries/Department (As per standard list attached)

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

Copies also forwarded to:

1. The Comptroller & Auditor General of India and all States under his control. (With 400 spare copies)
2. Controller General of Accounts/Controller of Accounts, Ministry of Finance.
3. Secretaries to UPSC/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Planning Commission.
4. Department of Personnel & Training (AIS Division)/JCA/Admn. Section.
5. Additional Secretary (Union Territories), Ministry of Home Affairs.
6. All State Governments and Union Territories.
7. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi
8. All Members of the Staff Side of the National Council of JCM/Departmental Council.
9. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioners' Welfare.
10. Ministry of Finance, Department of Expenditure
11. 50 spare copies.



(Roli Singh)

Director to the Government of India.