

F.No.03-25/2020-E.III A  
Government of India  
Ministry of Finance  
Department of Expenditure

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Dated 13.08.2020

Office Memorandum

**Subject: Regulation of remuneration in case of contract appointment of retired Central Government employees- Request for views/comments of Ministries/Department**

Ministries/Departments of Government of India appoint retired Central Government employees on contract basis, including as Consultants as and when required. However, presently there are no uniform guidelines for regulation of salary for such contractual appointees.

2. It has been felt that there is a need to have uniformity to regulate salary of such contractual appointment of retired Central Government employees. The issue is under examination in Department of Expenditure. Accordingly a **DRAFT** O.M prescribing guidelines for regulation of pay of such contractual appointees has been prepared and enclosed herewith. All the Ministries and Departments of Government of India are requested to submit their views/comments, if any, on this issue. The comments may be sent to <us1c1-cpc@nic.in>; within 10 days of issue of this communication.



(Ram Gopal)

Under Secretary to Govt. of India

To

All Ministries /Departments of Governments of India

F. No.  
Govt. of India  
Ministry of Finance  
Department of Expenditure

Dated the August, 2020

Office Memorandum

**Subject: Regulation of remuneration in case of contract appointment of retired Central Government employees.**

The undersigned is directed to say that Ministries/Departments appoint retired Central Government employees on contract basis, including as Consultants on contract basis. However, at present there are no uniform guidelines for regulation of salary in such cases.

2. The existing instructions of Department of Personnel and Training, as contained in their Central Civil Services (Fixation of Salary of employed Pensioners) Orders, 1986, as amended from time to time, provide for regulation of salary in case of re-employment. However, the instructions of Department of Personnel & Training as contained in their OM No. 26012/6/2002- Estt (A) dated 9.12.2002 provides that re-employment beyond the age of superannuation of 60 years shall not be permissible. Also, as per their OM No. 3(3)/2016-Estt (Pay II) dt. 1.5.2017, the pay plus gross pension on re-employment is not to exceed Rs.2,25,000/-, i.e., Pay Level 17 as applicable to an office of the level of Secretary to the Government of India.

3. Department of Personnel & Training has also informed that the instructions on pay fixation in case of re-employment apply only to persons appointed on re-employment, other than those employed on contract basis, except where the contract provides otherwise. Accordingly, in cases of appointment of retired Central Government employees after the age of superannuation at 60 years on contact basis, the instructions on pay fixation on re-employment will not directly apply.

4. In view of this, there is a need to regulate salary in such cases of contract appointment of retired Central Government employees on an uniform basis. The matter has, therefore, been considered and it has been decided that regulation of salary in case of appointment of retired Central

Government employees on contract basis, including as consultants, shall be regulated as provided hereinafter.

(A) Cases where contract appointment is made on nomination basis

5. Such cases will cover appointment of a retired Central Government employee on contract basis, including as Consultants, by way of nomination based on the credentials of the past service and not through open market advertisement.

6. At the outset, such appointments shall be not be made as a matter of practice and must be kept at a bare minimum. Such appointments may be made only in the justified exigencies of the official work where public interest is served by the appointment of the retired employee. While making such appointments, adequate functional necessity with clear grounds must be placed before the appointing authority.

A. Salary

7.1 A fixed monthly amount shall be admissible, arrived at by deducting the basic pension from the salary drawn at the time of retirement. It shall be termed as "salary". The amount of salary so fixed shall remain unchanged for the term of the contract.

Example

An employee retired in the Pay Level 13 and the pay at the time of retirement was Rs. 1,55,900. Thus, the basic pension will be Rs. 77,950. If the employee is appointed on contract basis, including as Consultant, the "salary" shall be fixed at Rs.77, 950 ( 1,55,900-77950).

7.2 The basic pension to be deducted from the last salary drawn shall be the pension as fixed at the time of retirement and as such, if the employee has availed of the commutation of pension, the commuted portion of pension shall also be included in the portion of pension to be deducted. Thus, in the above example, if 40% of pension was commuted, the commuted portion shall be Rs. 31,180 ( 40% of 77,950) and the pension actually drawn shall be Rs. 46,770. However, the amount of pension to be deducted from the last salary shall be Rs. 77,950.

7.3 No increment and Dearness Allowance shall be allowed during the term of the contract.

#### **B. House Rent Allowance**

7.4 No HRA shall ordinarily be admissible, except in those case where special dispensation is allowed by the Appointments Committee of the Cabinet. Further, no HRA shall be admissible in case the appointee has a house either in self name or the name of spouse at the place of appointment. Also, if the retired employee is retaining the Government accommodation after retirement as per the Rules of Directorate of Estate, the HRA shall be admissible only from the date of vacation of the Government accommodation.

#### **C. Transport Allowance**

7.5 An appropriate and fixed amount as Transport Allowance for the purpose of commuting between the residence and the place of work shall be allowed not exceeding the rate applicable to the appointee at the time of retirement. The amount so fixed shall remain unchanged during the term of appointment.

#### **D. Leave of absence**

7.6 Paid leave of absence may be allowed at the rate of 1.5 days for each completed month of service.

#### **E. Term of Appointment**

7.7 The term of appointment shall ordinarily be for an initial period not exceeding one year. It may be extendable up to an age two years more than the age of superannuation of the concerned employee. Beyond two years after the age of superannuation where adequate justification exists, the term may be extended based on a review of the task and the performance of the contract appointee, provided in no case shall it be extended beyond the age 5 years more than the age of superannuation.

**(B) Cases where contract appointment is made on open market basis**

8. In cases where the appointment of retired employees is made from open market under GFR 179 to 196, then the remuneration may be regulated as per the terms and conditions of the contract and in such cases there will be no need to deduct pension. The terms of the appointment and the age up to which the appointment can be made shall also be as per the terms of the contract, provided the term of appointment shall not ordinarily go beyond 5 years after the age of superannuation of the appointee.

9. These orders shall apply to appointments made in the Central Government and shall be effective from the date of issue of the orders. The past cases shall not be reopened in the light of these orders until the normal term of those past cases.

10. The terms of appointment provided for in these in orders shall not apply to cases and to the extent where the Appointments Committee of allows special terms or where special provisions have been allowed with the approval of the Department of Personnel & Training and this Ministry.

11. In their application to appointments in the office of Comptroller & Auditor General of India, these orders issue after consultation with C&AG.

(Under Secretary to the GOI)

To,

- 1) All the Ministries and Departments of the Government of India as per the standard list
- 2) Office of the Comptroller & Auditor General of India

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

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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 31<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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-

- (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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 <sup>th</sup> 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>Note 1: The case where pension is fully ignored is given in Order 4 (d) below.</p> <p>Note 2: Pension is fully ignored means that pension is not deducted from pay.</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>



<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 <i>plus</i> 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.</p> <p><b>Illustration</b></p> <p>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.</p> <p><i>Note: In the revised pay structure, basic pay is pay in the pay band plus the grade pay attached to the post.</i></p>	<p>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.</p> <p><i>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.</i></p> <p><i>Note 2: "Basic Pay" in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix.</i></p> <p><i>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 8<sup>th</sup> November 2010.</i></p>
<p>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.</p>	<p>Order 4(c): No change</p>

<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>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) 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>(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.4000/- of the pension and pension equivalent 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. 15,000/- of the pension and pension equivalent retirement benefits shall be ignored.</p>

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:**

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

1. 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 :

**No. 26012/6/2002-Estt. (A)**  
**Government of India**  
**Ministry of Personnel, P.G. & Pensions**  
**(Department of Personnel & Training )**

New Delhi, dated 9<sup>th</sup> December, 2002

**OFFICE MEMORANDUM**

**Subject : Grant of extension/re-employment to Central Government servants beyond the age of superannuation – issue of instructions regarding.**

The undersigned is directed to say that the criteria for grant of extension/re-employment to Central Government employees beyond the age of superannuation are laid down in the DoPT O.M.No. 26011/1/77-Estt.(B) dated the 18<sup>th</sup> May, 1977. After May, 1998 and when the age of retirement of the Central Government employees increased from 58 to 60 years, some of the instructions contained in the O.M. dated 18<sup>th</sup> May, 1977 referred to above have lost their relevance. Accordingly, it has been decided to revise the instructions relating to extension/re-employment to Central Government employees.

2. In the absence of specific orders to the contrary by the competent authority, a Government servant must retire on the due date. The date of superannuation of a Government servant is known in advance and ordinarily there should not be a question of failure to make arrangements for his release sufficiently in advance. It is the responsibility of the administrative authority concerned to ensure that the Government servants under their control retire on the due date.

3. **Extension:** F.R. 56(d) states that no Government servant shall be granted extension of service beyond the age of 60 years. However, provisions exist in the rules to grant extension of service to certain category of Government servants only. Therefore, it must be ensured that no Ministry/Department should propose to grant extension in service unless the case is covered by the Rules.

4. The proposal for grant of extension in service to the categories of personnel referred to in the first, second and third proviso to F.R. 56(d)

shall be referred to the Estt. Division of Department of Personnel and Training two months prior to the date on which the individual concerned is due for superannuation. The procedure for grant of extension to the Scientists is laid down in DoPT d.o. letter No. 28/19/2000-EO(SM-II) dated the 10<sup>th</sup> July, 2000.

**5. Procedure for consideration of cases for extension of specialists in the medical and scientific fields:-**

It should be appreciated that even in the case of extension to specialist in the medical or scientific fields, it is not only the next man who misses promotion but often several people miss consequential promotions all along the hierarchy. Thus, too many cases of extension in service or re-employment are likely to cause frustration and affect the morale of the upcoming scientists who have exposure to latest technological developments in connecting fields. Keeping in view these circumstances, the following criteria and procedure has been evolved with a view to ensure that extensions in service to the superannuating scientists are resorted to only in really exceptional circumstances. The overriding consideration for the grant of extension is that it must be in the public interest and in addition satisfy one of the following two conditions:-

- i) that the retiring specialist is not just one of the outstanding officers but is really head and shoulders above the rest; or
- ii) that other specialists are not ripe enough to take over the job.

Test (ii) would be satisfied only if there is shortage in particular specialization, or if it is not possible to find a suitable successor or if the specialist is engaged on a work or project of vital importance, which is likely to produce results in a year or two. If specialists in the next lower post are not eligible for promotion on the ground that they have not put in the minimum service in the lower grade prescribed under the rules, no promotions can be made to the higher grade, unless such specialists put in the requisite length of service. But specialists who are eligible for promotion to the post against which extension is recommended, should not be rejected solely on the ground that they do not have as much experience as the retiring specialist. They should be considered for promotion according to the

recruitment rules and if they are found suitable they should be promoted to the posts being vacated by the retiring specialists.

6. Whenever any specialist is considered for grant of extension, his character roll and personal file should be carefully scrutinized and all other relevant information that may be available should be taken into account to judge whether the specialist had good reputation for integrity and honesty. In cases where the specialist is not considered to have good reputation for integrity and honesty, he should not be considered for grant of extension in service. The appropriate authority in the Administrative Ministry should furnish a certificate of Integrity along with the **Annexure-I** as follows where it proposes to grant extension of service.

“Having scrutinized in character roll and personal file of Shri/Smt./Kum. \_\_\_\_\_ and having taken into account all other relevant available information, I certify that he/she has a good reputation for integrity and honesty.”

7. While making proposals for extension of service in higher posts, it is all the more necessary to apply higher standards of efficiency to persons whose appointments to the higher posts are recommended for approval of the Appointments Committee of the Cabinet. The number of top posts is bound to be very limited and a few persons should not have them for too long. No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

8. No extension of service should be considered on the ground that a suitable successor is not available unless it is established that action to select a successor had been taken well in advance but the selection could not be finalized in time for justifiable reasons. A proposal for the grant of extension of service based merely on the consideration that the specialist's predecessor had been given extension should obviously not be accepted.



9. **Re-employment:** No proposal for employing a government servant beyond the age of superannuation of 60 years shall be considered. It is also clarified that no person can be appointed/re-appointed to Central Government service after the age of superannuation of 60 years through contract.

10. Re-employment of military pensioners who have not reached the age of superannuation for Central Government employees will not be governed by these instructions.

**11. Appointment of Consultant:-**

Detailed instructions have been issued for appointment of consultant vide DoP&T's Office Memorandum No. 16012/7/97-Estt.(Allowance) dated 13th February, 1998.

Hindi version will follow.

Sd/-  
**Mrs. Pratibha Mohan**  
**Director (E-II)**

To

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

## Annexure-I

### **Proforma for sending proposals for approval of Department of Personnel & Training for grant of extension to Government servants beyond the age of superannuation.**

1. Designation of the post:
2. Duration of the post :
3. Scale and terms of the post and perquisite attached, if any:
4. Whether financial sanction for the creation of the post/continuance of post for the duration shown at (2) has been obtained:
5. Method of recruitment:
6. Name and the terminal date of appointment of the outgoing incumbent of the post:
7. Name of the specialist proposed for appointment and the service to which he belongs:
8. Full service particulars of the Officer with date of birth and pay drawn:
9. Names of other Officers considered:
10. If promotion post, whether copies of proceedings of a D.P.C. are being enclosed? If not, why not?
11. Whether character roll of the specialist proposed and those considered are being sent. If not, why not?
12. Please indicate:
  - (i) (a) Whether the post is scientific or medical specialist.
  - (b) Periods of extension granted earlier to the officer, if any

- (c) Date from which extension is to be granted.
  - (d) Period of extension of service.
  - (ii) Justification for grant of extension:
    - (a) The date from which it was known that vacancy would occur.
    - (b) Action taken to select a successor with chronological details.
    - (c) If selection is being made, reasons why this could not be finalized in good time.
    - (d) Can some officiating or ad-hoc arrangements be made, pending fresh appointment by proper selection? If not, why not?
  - (iii) Whether orders of the Minister-in charge have been obtained?
13. Whether the prescribed Integrity Certificate, from the appropriate authority, is enclosed.