

No. - 28/90/2022-P&PW(B)/8297
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan, Khan Market,
New Delhi, Dated the 2nd October, 2022

OFFICE MEMORANDUM

Subject: Counting of military service rendered before civil employment under the Central Civil Services (Pension) Rules, 2021-reg.

The undersigned is directed to say that Department of Pension and Pensioners' Welfare has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972.

2. In accordance with Rule 20 of the Central Civil Services (Pension) Rules, 1972, a re-employed military pensioner could exercise an option to count the former military service, as qualifying service for pension and gratuity by ceasing to draw his pension and refunding or agreeing to refund— (i) the pension already drawn; and (ii) the value received for the commutation of a part of military pension; and (iii) the amount of retirement gratuity including service gratuity, if any.

3. After introduction of the National Pension System, the CCS (Pension) Rules, 1972 were not applicable to the Government servants appointed on or after 01.01.2004. Therefore, the option under Rule 19 of the Central Civil Services (Pension) Rules, 1972 was available only to the military pensioners who were re-employed on the civil side on or before 31st December, 2003. If a Government servant, who had rendered military service, is/was re-employed in a civil service or post after 31st December, 2003, he shall continue to draw the military pension and/or retain gratuity received on discharge from military service and, on re-employment in a civil service or post, he shall be covered by the rules governing the National Pension System.

4. In case the above option exercised by a re-employed military pensioner, who was re-employed on a civil service or post on or before 31st December, 2003, was allowed under Rule 19 of the Central Civil Services (Pension) Rules, 1972, the period of service rendered before such re-employment shall continue to be counted as qualifying service for pension and gratuity in accordance with Rule 20 of the Central Civil Services (Pension) Rules, 2021. The pension and gratuity for the service

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rendered after re-employment in civil service or post shall not be subject to any limitation with reference to the pension and gratuity drawn by the Government servant in respect of the military service.

5. All Ministries/Departments are requested that the above provisions regarding counting of past military service rendered before re-employment on a civil post as qualifying service for pension and gratuity under the Central Civil Services (Pension) Rules, 2021 may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices thereunder, for strict implementation.


(S. Chakrabarti)

Under Secretary to the Govt. of India

To

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