

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

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

**OFFICE MEMORANDUM**

**Subject: Counting of pre-retirement civil service in the case of re-employed Government servants 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 19 of the Central Civil Services (Pension) Rules, 1972, on re-employment, a Government servant who, having earlier retired on compensation pension or invalid pension, could exercise an option to count the former 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, (ii) the value received for the commutation of a part of 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 18 of the Central Civil Services (Pension) Rules, 1972 was available only to the Government servants who were re-employed on or before 31<sup>st</sup> December, 2003. If a Government servant, after retirement on compensation pension or invalid pension, is/was re-employed after 31<sup>st</sup> December, 2003, he shall continue to draw the pension and/or retain gratuity received for the past service and, on re-employment, he shall be covered by the rules governing the National Pension System.

4. In case the above option exercised by a re-employed pensioner, who was re-employed to a civil post on or before 31<sup>st</sup> December, 2003, was allowed under Rule 18 of the Central Civil Services (Pension) Rules, 1972, the period of service rendered before re-employment shall continue to be counted as qualifying service for pension and gratuity in accordance with Rule 19 of the Central Civil Services (Pension) Rules, 2021,

*Contd.*

5. All Ministries/Departments are requested that the above provisions regarding counting of service rendered before re-employment 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)