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Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
ESTT.(Estt. A-IV)

(Dated 01 December, 2022)

OFFICE MEMORANDUM

Superannuation, extension in service, re-employment, premature retirement and VRS

(A) Retirement/Extension in service

Fundamental Rules(FR)

F.R. 56 (a) Except as otherwise provided in this rule, every Government servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years:

Provided that a Government servant whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.

Provided further that a Government servant who has attained the age of fifty-eight years on or before the first day of May, 1998 and is on extension in service, shall retire from the service on expiry of his extended period of service.

or on the expiry of any further extension in service granted by the Central Government in public interest, provided that no such extension in service shall be granted beyond the age of 60 years.

(b) A workman who is governed by these rules shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years.

NOTE.—In this Clause, a workman means a highly skilled, skilled, semi-skilled, or unskilled artisan employed on a monthly rate of pay in an industrial or work-charged establishment.

(bb) (i) The age of superannuation in respect of the doctors belonging to—

- (i) Central Health Service;
- (ii) Indian Railways Medical Service;
- (iii) AYUSH and working under the Ministry of AYUSH;
- (iv) Civilian doctors under the Directorate General of Armed Forces Medical Service;
- (v) Medical Officers of the Indian Ordnance Factories Health Service;
- (vi) Dental doctors under the Department of Health and Family Welfare;
- (vii) Dental doctors under the Ministry of Railways; and
- (viii) General Duty Medical Officers, Specialist Grade doctors and Teaching Medical

Faculty working in Bhopal Memorial Hospital and Research Centre; shall be sixty-two years unless they exercise the option of posting to Teaching, Clinical, Patient Care, Implementation of Health programmes, Public Health programmes and functions including advisory and consultancy depending on their expertise and experience, as decided by the Competent Authority in the concerned Ministry or Department from time to time, in case they desire to continue in their service upto the age of sixty-five years:

Provided that the age of superannuation in respect of the doctors belonging to the General Duty Medical Officers sub-cadre of Central Armed Police Forces and Assam Rifles and Specialist Medical officers of Central Armed Police Forces and Assam Rifles shall be sixty-five years.

(ii) The serving doctors belonging to the services referred to in sub-clause (i) who have either already attained the age of sixty-two years or attaining the age of sixty-two years within six months from the date of publication of these amendment rules in the Official Gazette, may exercise their option in regard to their posting to Teaching, Clinical, Patient Care, Implementation of Health programmes, Public Health programmes and functions including advisory and consultancy as specified in sub-clause (i), within a period of thirty days from the date of the commencement of the Fundamental (Second Amendment) Rules, 2018.

(iii) The serving doctors who fail to exercise the option in regard to their posting to Teaching, Clinical, Patient Care, Implementation of Health programmes, Public Health programmes and functions including advisory and consultancy as specified in sub-clause (i), within the period specified in sub-clause (ii), shall be superannuated from their service on attaining the age of sixty-two years or on expiry of a period of thirty days from the date of the commencement of the Fundamental (Second Amendment) Rules, 2018, whichever is later.

(bbb) the age of superannuation in respect of nursing teaching faculty with M.Sc. in Nursing in the Central Government Nursing Institutions shall be 65 years subject to the condition that they continue to function as faculty members after the age of 60 years.

(c) Deleted.

(cc) Deleted.

(d) No government servant shall be granted extension in service beyond the age of retirement of sixty years:

Provided that a Government servant dealing with budget work or working as a full-time member of a Committee which is to be wound up within a short period of time may be granted extension of service for a period not exceeding three months in public interest;

Provided further that a specialist in medical or scientific fields may be granted extension of service up to the age of sixty-two years, if such extension is in public interest and the grounds for such extension are recorded in writing:

Provided also that an eminent scientist of international stature may be granted extension of service up to the age of 64 years, if such extension is in public interest and the grounds for such extension are recorded in writing.

Provided also that notwithstanding anything contained in any rule, the Central Government may, if considered necessary in public interest so to do, give extension in service to a Cabinet Secretary in the Central Government for such period or periods as it may deem proper subject to the condition that his total term as such Cabinet Secretary does not exceed four years.

Provided also that the Central Government may, if it considers necessary in public interest

so to do, give extension in service to the Defence Secretary, Foreign Secretary, Home Secretary, Director of Intelligence Bureau, Secretary of Research and Analysis Wing and Director of Central Bureau of Investigation appointed under the Delhi Special Police Establishment Act, 1946 (25 of 1946) and Director of Enforcement in the Directorate of Enforcement appointed under the Central Vigilance Commission Act, 2003 (45 of 2003) in the Central Government for such period or periods as it may deem proper on a case-to-case basis for reasons to be recorded in writing, subject to the condition that the total term of such Secretaries or Directors, as the case may be, who are given such extension in service under this rule, does not exceed two years or the period provided in the respective Act or rules made thereunder, under which their appointments are made.

Provided also that notwithstanding anything contained in the fifth proviso, the Central Government may, if considers it necessary, in public interest, so to do, give an extension in service for a further period not exceeding three months beyond the said period of two years to the Home Secretary and the Defence Secretary.

Provided also that notwithstanding anything contained in the fifth proviso, the Central Government may, if considers necessary, in public interest, so to do, give an extension in service for a further period not exceeding one year beyond the said period of two years to the Foreign Secretary.

Provided also that, the Central Government may, if considered necessary in public interest so to do, give extension of service to the Secretary, Department of Space and the Secretary, Department of Atomic Energy, for such period or periods as it may deem proper subject to a maximum age of 66 years.

Provided also that the Appropriate Authority shall have the right to terminate the extension of service before the expiry of such extension by giving a notice in writing of not less than three months in the case of a permanent or a quasi-permanent Government servant, or, of one month in the case of a temporary Government servant, or pay and allowances in lieu of such notice.

(e)

(f)

(ff) Deleted

(g)

(h)

(i) A Military Officer in a Civil Department shall cease to be in civil employment on the date he attains the age of sixty years.

(B) Age of Retirement in autonomous bodies/organizations

The Fifth Central Pay Commission in para 128.16 of its report recommended for increase in age of retirement of Central Government employees from 58 years to 60 years. The recommendation of the Fifth Central Pay Commission was accepted by the Government and it was decided to increase the age of retirement of Central Government employees from 58 years to 60 years. Accordingly, F.R. 56 was amended vide this Department's Notifications No. 25012/2 /97-Estt. (A) dated 13.5.1998 and 27.5.1998.

2. Consequent upon revision of scale of pay of the Central Government employees, the question of extending the same benefits to the employees of the autonomous bodies organizations was considered and it was decided to extend the benefit of extension in age of retirement from 58 years to 60 years in the following cases:-

(a) In cases where the autonomous bodies/ organization are following the rules as applicable to Central Government employees and where the pay scales and conditions of service are identical to Central Government employees, the age of retirement shall be extended by two years with prospective effect through appropriate Notification amending the Rules in consultation with the administrative Ministry concerned subject to condition that the age of retirement shall not exceed 60 years. There shall be a complete ban on grant of extension in service beyond the age of superannuation except in the case of medical and scientific specialists, who can be granted extension in service, on a case to case basis, upto the age of 62 years and the orders relating to increase in age of retirement shall not be applicable to the persons on extension in service on 1.5.1998.

(b) In cases where the existing rules of the relevant autonomous bodies/organizations provide either that the age of retirement of specified categories of personnel working in these organizations shall be same as corresponding categories grades in the Central Govt. or where the existing rules provide that all the conditions of service shall be identical to corresponding category of personnel in the Central Govt., the age of retirement may be increased by two years from prospective effect subject to a maximum of 60 years, in consultation with the concerned Administrative Ministry except in cases where the age or retirement in these organizations is already more compared to their counterparts in the Central Govt. There shall be a complete ban on extension in service beyond the age of superannuation except in the case of medical and scientific specialists, who can be granted extension in service, on a case to case basis, upto the age of 62 years and the orders relating to increase in age of retirement shall not be applicable to the persons on extension in service on 1.5.1998.

(c) In respect of autonomous bodies/organization not covered by (a) & (b) above, the Administrative Ministry concerned may examine the matter on merits and thereafter approach the Department of Personnel, if it proposed to extend the age of retirement in these autonomous bodies/organization. The usual conditions that the maximum age of retirement, shall not exceed 60 years and there shall, be a complete ban on extension in service beyond the age of superannuation except in case of medical and scientific specialists, who can be granted extension in service, on a case to case basis, upto the age of 62 years and the orders relating to increase in age of retirement shall not be applicable to the persons on extension in service on the date of issue of orders shall apply.

3. Approvals in the cases covered by paras 2(a) and (b) above will be at the level of the Minister-in-Charge of the administrative Ministry.

[\[OM No.25012/8/98- Estt. \(A\) dated 30/05/1998\]](#)

(C) Procedure for Grant of extension

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.

2. 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.

3. 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 Establishment Division of the Department of Personnel and Training two months prior to the date on which the individual concerned is due for superannuation.

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

(a) 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 reemployment 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.

The test at (ii) above 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.

(b) 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."

(c) 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.

- (d) 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.

[\[DoPT's OM No. 26012/6/2002-Estt.\(A\)dated 09.12.2002\]](#)

(D) 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/reappointed to Central Government service after the age of superannuation of 60 years through contract. Re-employment of military pensioners who have not reached the age of superannuation for Central Government employees will not be governed by these instructions.

[\[DoPT's OM No. 26012/6/2002-Estt.\(A\) dated 09.12.2002\]](#)

(E) Premature Retirement

The objective of Fundamental Rule FR 56(j)/(l) and Rule 42 of CCS (Pension) Rules, 2021 (erstwhile Rule 48 of CCS (Pension) Rules 1972), is to strengthen the administrative machinery by developing responsible and efficient administration at all levels and to achieve efficiency, economy and speed in the disposal of Government functions. It is clarified that premature retirement of Government servants under these rules is not a penalty and, therefore, is distinct from the 'Compulsory Retirement', which is one of prescribed penalties under the CCS (CCA) Rules, 1965.

2. The detailed guidelines on Periodic Review of Central Government Employees for strengthening of administration has been issued by DoPT under OM No.25013/03/2019-Estt.A-IV dated 28.08.2020.

[\[OM No.25013/03/2019-Estt.A-IV dated 28.08.2020\]](#)

3. The present composition of Representation Committee for all Government servants consists of :

- i. Ms Arti Ahuja, Secretary, Ministry of Labour & Employment;
- ii. Shri Puneet Kansal, Additional Secretary, Cabinet Secretariat; and
- iii. One member nominated by Cadre Controlling Authority.

[\[OM No. 25013/1/2013-Estt.A-IV dated 22.09.2022\]](#)

(F) Voluntary Retirement:

Rule (43) of the CCS (Pension) Rules, 2021: Retirement on completion of twenty years' qualifying service.-

(1) At any time after a Government servant has completed twenty years' qualifying service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from service and in the case of such retirement the Government servant shall be entitled to a retiring pension calculated in accordance with rule 44:

Provided that before giving notice of voluntary retirement, a Government servant shall request the appropriate administrative authority for a certificate regarding completion of qualifying service of twenty years on the intended date of retirement and the administrative authority shall issue the required certificate within fifteen days of such request by the Government servant and if no such certificate is issued by the administrative authority within the prescribed period of fifteen days, the Government servant may give the notice of voluntary retirement without such certificate:

Provided further that before accepting the notice for voluntary retirement and passing orders in this regard, the appointing authority shall satisfy itself that the Government servant has completed the qualifying service of twenty years:

Provided also that this sub-rule shall not apply to a Government servant, including scientist or technical expert who is,-

- (i) on assignments under the Indian Technical and Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programmes; or
- (ii) posted abroad in foreign based offices of the Ministries or Departments; or
- (iii) on a specific contract assignment to a foreign Government,

unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year:

Provided also that a Government servant shall be eligible to retire under this rule only if he has completed or will complete a qualifying service of twenty years on the intended date of retirement and the provision in sub-rule (7) of rule 44 for treating fraction of a year equal to three months and above as a completed six monthly period, shall not be applicable for the purpose of determining the qualifying service under this rule.

(2) The notice of voluntary retirement given under sub-rule (1) shall require acceptance by the appointing authority:

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period.

(3) It shall be open to the appropriate appointing authority to withhold permission to a Government servant who seeks to retire under this rule in the following circumstances,-

- (i) If the Government servant is under suspension; or
- (ii) If a charge sheet has been issued and the disciplinary proceedings are pending; or
- (iii) If judicial proceedings on charges which may amount to grave misconduct, are pending: Provided that in cases where the appointing authority proposes to accept the notice of voluntary retirement in spite of the

circumstances referred to in this sub-rule, approval of President shall be obtained.

Explanation.- For the purpose of this sub-rule, judicial proceedings shall be deemed to be pending, if a complaint or report of a police officer, of which the Magistrate takes cognizance, has been made or filed in a criminal proceedings.

(4) (a) Government servant referred to in sub-rule (1) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons therefor.

(b) On receipt of a request under clause (a), the appointing authority, subject to the provisions of sub-rule (2), may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the Government servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.

(5) If a Government servant acquiring a disability, where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, gives a notice of voluntary retirement under this rule, the Government servant shall be advised that he has the option of continuing in service with the same pay scale and service benefits which he is otherwise entitled to and in case the Government servant does not withdraw the notice for voluntary retirement, his request for voluntary retirement may be processed.

(6) Government servant, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority:

Provided that the request for withdrawal shall be made not less than fifteen days before the intended date of voluntary retirement.

(7) This rule shall not apply to a Government servant who (a) retires under the Special Voluntary Retirement Scheme relating to voluntary retirement of surplus employees; or (b) retires from Government service for being absorbed permanently in an autonomous body or a public sector undertaking to which he is on deputation at the time of seeking voluntary retirement or for joining an autonomous body or a public sector undertaking on immediate absorption basis.

Explanation.- For the purpose of this rule, the expression "appointing authority" shall mean the authority which is competent to make appointments to the service or post from which the Government servant seeks voluntary retirement.

[\[DoP&PW's Notification No. G.S.R.868\(E\) dated 20.12.2021\]](#)

Leave in context of Voluntary Retirement:

A Government servant giving notice of voluntary retirement may also apply, before the expiry of the notice, for the leave standing to his credit which may be granted to him to run concurrently with the period of notice. Extra-ordinary leave is not termed as leave standing to his credit and therefore, it cannot run concurrently with the period of notice given by him for seeking voluntary retirement. In case, as Government servant applies for voluntary retirement while already on extra-ordinary leave other than on medical ground, the notice period need not be insisted upon and his request may be accepted with immediate effect provided he is clear from vigilance angle. However, if a Government servant while already on extra -ordinary leave on medical ground, applies for voluntary retirement, the notice period, if any, given may be accepted and he may be allowed to retire after the expiry of the notice period subject to

vigilance clearance.

[\[OM No. 25013/3/2003-Estt.\(A\) dated 17.06.2003\]](#)

(G) Special Voluntary Retirement Scheme for Surplus Central Government Employees

The Expenditure Reforms Commission (ERC) set up by the Government of India had suggested a liberal Voluntary Retirement Scheme (VRS) for the employees declared surplus. This recommendation, contained in Commission's second Report on 'Optimizing Government's Staff Strength – Some General Issues' was considered carefully and the Central Government decided to introduce a special Voluntary Retirement Scheme (VRS) for the permanent employees declared surplus in any Ministry/Department.

[\[OM No. 25013/6/2001-Estt.\(A\) dated 28.02.2002\]](#)

In case any reference to the relevant OM is required, the same may be accessed by clicking on the hyperlink given below:

[DoPT's OM No. 26012/6/2002-Estt.\(A\) dated 09/12/2002](#)

[DoPT's OM No. 25012/8/98- Estt. \(A\) dated 30/05/1998](#)

[DoPT's OM No.25013/03/2019-Estt.A-IV dated 28.08.2020](#)

[DoPT's OM No. 25013/1/2013- Estt.A-IV dated 22/9/2022](#)

[DoPT's OM No. 25013/1/2013- Estt.A-IV dated 15/6/2022](#)

[DoP&PW's Notification No. G.S.R.868\(E\) dated 20.12.2021](#)

[DoPT's OM No. 25013/3/2003-Estt.\(A\) dated 17.06.2003](#)

[DoPT's OM No. 25013/6/2001-Estt.\(A\) dated 28.02.2002](#)
