

**No.3/12/97-Estt.(Pay II)**  
**Government of India**  
**Ministry of Personnel, Public Grievances & pensions**  
**Department of Personnel & Training**

**New Delhi the 19<sup>th</sup> Nov.,1997**

OFFICE MEMORANDUM

Subject: - Applicability of Central Civil Services (Revised Pay) Rules 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, 1997 vide 2(2)(g) 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 under consideration of the Government. The President, after consultation with the Comptroller & Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, is pleased to decide that, in partial modification of Rule 2(2)(g) of the C.C.S.(R.P.) Rules, 1997, the provisions of those rules shall apply to such persons also who were re-employed on 1<sup>st</sup> January, 1996, 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 1<sup>st</sup> day of January, 1996 shall be fixed in the following manner. namely -

According to the provisions of Rule 7 of the C.C.S(R.P.) Rules, 1997, if he is –

a Government servant who retired without receiving a pension, gratuity or any other retirement benefit; and

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 was fixed on re-employment 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 1<sup>st</sup> day of January, 1996 shall be fixed in accordance with the provisions contained in rule 7 of the Central Civil Services (Revised Pay) Rules, 1997.

In addition to the pay so fixed, the re-employed Government servant would continue to draw the retirement benefit he was permitted to draw in the pre-revised scales, as modified based on the recommendations of the Fifth 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 1.1.1996 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.

After pay in the revised scale is fixed in the manner indicated above, increments will be allowed in the manner laid down in Rule 8 of C.C.S.(R.P.) Rules, 1997.

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 C.C.S.(R.P.) Rules, 1997, 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 the orders/notification revised 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 1<sup>st</sup> day of January, 1996 his pay from later date in the revised scale shall also be fixed in accordance with the provisions of Rule 7 of the C.C.S.(R.P.) Rules, 1997.

5. Pay of pensioners who are in re-employment in Central Government Civil Departments as on 1.1.96 and are/were in receipt of NPA either before or after their re-employment will be regulated under provisions of Rule 7 of C.C.S.(R.P.) Rules, 1997 in the following manner:

(i) Cases where NPA was available with the existing scales and is admissible as a separate element with the revised scales also:- Pay in such cases may be fixed in accordance with provisions of Rule 7 of C.C.S.(R.P.) Rules, 1997.

(ii) Cases where NPA was attached with the existing scales and no NPA is attached with the revised scale:- In such cases, NPA should not be taken into account for pay fixation under C.C.S.(R.P.) Rules, 1997. The drop in emoluments, if any, will, however, be protected by grant of personal pay to be absorbed in future increases in pay.

(iii) Cases where no NPA was attached with existing scales and NPA is attached with revised scales: In such cases, NPA shall be drawn separately after fixing the pay under C.C.S.(R.P.) Rules, 1997.

6. 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.

Hindi version will follow.

(S. Nandkeolyar)  
Director to the Govt. of India

To

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