

Office of the Controller General of Defence Accounts

Ulan Batar Road, Palam, Delhi Cantt-110010

No. AT/II/2455-VI

Dated: 6th July 2018

To

All PCsDA/CsDA/PCA (Fys)/CsFA (Fys)
(Through CGDA Mail Server)

Subject: Fixation of pay in respect of re-employed pensioners.

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Fixation of pay in r/o re-employed ex-servicemen is regulated as per CCS (Re-employed Pensioners) Orders 1986 as amended from time to time. Consequent on implementation of 6th CPC, these orders were amended vide DOPT OM dated 11-11-2008 and 05-04-2010. Accordingly, pay fixation of persons re-employed in the revised pay structure of 6th CPC is to be regulated as per the provisions laid down in para 4 (b) (i), 4 (b) (ii) read with para 4 (d) of OM dated 05-04-2010.

2. As per para 4 (d) of DOPT OM dated 05-04-2010, Ex-servicemen who held the post below Commissioned Officer Rank in Defence Forces and in case of civilian who held the post below Group 'A' post at the time of retirement, the entire pension and pension equivalent to retirement benefits shall be ignored. Further, para 4 (b) (i) of CCS (Re-employed Pensioners) Orders 1986 as amended vide para 2 of OM dated 05-04-2010 prescribes that 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 01-01-2006 as notified vide Section II, Part A of First Schedule of CCS (RP) Rules 2008. However, the method of pay fixation of **personnel/officers** who retired prior to 01-01-2006 and who have been re-employed after 01-01-2006 has been provided at para 3 (v) of OM dated 05-04-2010, which prescribes to fix the pay on re-employment by notionally arriving at their revised basic pay at the time of retirement as if they had retired under revised pay structure.

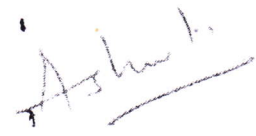
3. On receipt of a reference from PCA (Fys) Kolkata seeking confirmation of their views regarding pay fixation in r/o a PBOR who retired before 01-01-2006 and got re-employed in civil post after 01-01-2006, the issue was examined in HQrs Office and as per this office letter of even No dated 02-02-2017, the stand taken by PCA (Fys) Kolkata on the subject issue was endorsed and it was opined that the case needs to be regulated as per para 3 (v) of DOPT OM dated 05-04-2010.

4. However, on receipt of further reference from PCA (Fys) Kolkata in the matter, the issue has been re-examined in consultation with various Controllers' Offices in the light of para 8 (iii) of DOPT OM No 3/3/2016-Estt (Pay II) dated 01-05-2017 and DOPT ID No 1213833/2016-Estt (Pay II) dated 21-02-2017 addressed to Railway Board. DOPT ID dated 21-02-2017 stipulates that pay of non commissioned Ex-servicemen (PBORs) should be fixed as per entry pay in the revised pay structure. Moreover, it is seen that para 8 (iii) of DOPT OM No 3/3/2016-Estt (Pay II) dated 01-05-2017, has the headline, 'Fixation/drawal of pay of re-employed persons who retired prior to 01-01-2016 and who have been re-employed after 01-01-2016 and whose entire pension and pensionary benefits are not ignored for pay fixation'.

5. In view of the above, it is inferred that the provisions of para 8 (iii) of DOPT OM No 3/3/2016-Estt (Pay II) dated 01-05-2017 and hence para 3 (v) of DOPT OM No 3/19/2009-Estt (Pay II) dated 05-04-2010, which is analogical to para 8 (iii) of OM dated 01-05-2017, are applicable only for the pay fixation of retired Gp 'A' Officers on re-employment and not for the pay fixation of PBORs on re-employment in civil post.

6. Affected cases may be dealt with accordingly.

This has the approval of Addl CGDA (PP&W).


(Ashish Yadav)
Sr ACGDA (AT-I)