

No. – 57/05/2021-P&PW(B)/8860
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 09.04.2024

OFFICE MEMORANDUM

Subject: Options for inclusion under the Central Civil Services (Pension) Rules, 1972 in accordance with DoPPW OM dated 03.03.2023 to those employees who have since been retired- reg.

The undersigned is directed to say that the Department of Pension and Pensioners' Welfare administers pension related policy matters in respect to Central Government civil employees. This Department has issued instructions vide OM No. 57/05/2021-P&PW(B) dated 03.03.2023 giving one time option to the Central Government civil employee for inclusion under the CCS(Pension) Rules, 1972 (now 2021) who has been appointed against a post or vacancy which was advertised/ notified for recruitment/ appointment prior to notification for National Pension System i.e. 22.12.2003. As per para 7 of this OM, it is for the appointing authority of the post against which such option has been exercised to examine and decide applicability of these instructions.

2. Further, instructions were issued vide OM No. 57/03/2022-P&PW(B)/8361(1) dated 20.10.2023 on the question of applicability of aforesaid instructions dated 03.03.2023 to the Central Government employees who have since retired from service before issue of these instructions.

3. Further, references were received seeking clarification with respect to applicability of aforesaid instructions dated 03.03.2023 to the Central Government employees who have since retired from service before issue of these instructions. Accordingly, following FAQs are being issued to deal with these matters :

S. No.	Points on which clarification sought	Comments of DoPPW
(i)	<p>The OM dated 20.10.2023 requires refund of two elements viz. (a) Government contribution and return thereon under NPS and (ii) interest thereon.</p> <p>While the amount of Government contribution and the return thereon in the accumulated corpus of wealth under NPS account of the subscriber at the time of his exit on retirement would be ascertained from NSDL, the rate and manner of recovery of interest (simple or</p>	<p>In the DoPPW OM dated 20.10.2023, it was clarified that there is no restriction on applicability of aforesaid OM dated 03.03.2023 to Central Government employees who are otherwise eligible for the coverage under OPS and who already retired from service. Since, in this case, employee has already availed benefits under NPS, the Government contribution and return thereon under the NPS would require to be refunded along with interest</p>

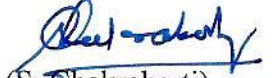
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	compound and the rates at which compounding is to be done) from the date of exit to the date of refund by the employee is not clear.	thereon by the Government servant in order to avail the benefit under the CCS(Pension) Rules, 1972, in case, he is found eligible for coverage under old pension scheme in terms of DoPPW OM dated 03.03.2023.
(ii)	The OM is silent on the date upto which the return on the Government contribution is to be recovered. Whether it is upto the date of superannuation/ retirement or date of conversion from NPS to pension under CCS (Pension) rules. If the date of recovery of return is upto the date of superannuation/ retirement of the employee, then whether any adjustment or recovery from the annuity availed by the employee after the date of retirement is required to be made or not and if so, the manner of recovery/ adjustment.	The rate and manner of calculation of interest on the amount to be refunded would be in accordance with the instructions issued by this Department vide O.M. No. 38/34/2001-P&PW(F) dated 29.04.2002 i.e. the interest would be calculated at the same rate and in the same manner as in the case of GPF deposits, applicable from time to time for the period from the date of receipt of pensionary benefits to date of refund to the Government.
(iii)	The order does not indicate the date from which the pension is to be given to the retired employee. As the retire Government contribution along with interest is to be recovered from the retired employees, apparently the pension may become payable from the date of their retirement on superannuation. This may be got clarified.	The pension is to be granted from the next date of superannuation/retirement of the Government employees i.e. if the employees had superannuated or retired w.e.f. 31.01.2023, the pension would start from next date i.e. 01.02.2023.
(iv)	In case of serving employees, GPF account is opened on their migration from NPS to old pension scheme under CCS (Pension) Rules. The OM is silent on opening of GPF account in this case. As the employee's contribution and return thereon is not being recovered, there is nothing to credit to their GPF account. So GPF account of the employee may not be opened. This may be got clarified.	There is no question of opening of any GPF account in respect to retired officers for their inclusion under OPS.
(v)	Those retired Government employees who have not yet withdrawn the benefit under NPS, the OM is not clear on whether (a) their entire corpus is to be withdrawn from NSDL and their share along with return thereon in the accumulated corpus on the date of exit from NPS is to be returned to them directly or his contribution is to be deposited in the GPF account to be opened and then closed with interest.	In case, the accumulated corpus has not been withdrawn by Government servant on his retirement, then the NPS account would be closed and the Government contribution along with return thereon in the corpus at the time of exit would be transferred into the Government account and there is no question of any interest on such amount.

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Contd.

(vi)	In respect of cases mentioned in (v) above, as far as the government contribution and return thereon is concerned, the same may be credited in the Government account. No interest is involved in this case. This may be got clarified.	
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(S. Chakrabarti)

Under Secretary to the Govt. of India

To

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