

**Ministry of Finance**  
**Department of Expenditure**  
**E.III.A Branch**

**Subject:- Revision/Consolidation of CCS (Fixation of Pay of Re-employed Pensioners) Orders, 1986 and other related orders – regarding.**

Department of Personnel & Training is requested to refer to their ID Note No. 3/3/2016-Pers. Pol. Pay (Depn/re-emp) dated 17.12.2024 on the subject mentioned above.

2. Based on the perusal of the material on record and the previous references made by DoP&T in the matter, the point that needs consideration is whether the conditions for fixation of pay and accounting for the pension on re-employment may be made exactly similar for both groups, namely, Officers and PBORs by modifying the conditions for PBORs and Groups B and C.
3. However, the present proposal of DoP&T, based on the demand of the All-India Re-employed Ex-Servicemen Association (AIREX), seeks to adopt the principle contained in MOD's DM dt. 8.2.1983 and this Department's OM dt. 13.12.1983. It would mean pay protection to all employees (including PBORs & Group B and C), but in regard to ignorable part of pension, there would not be similarity between officers and PBORs/Gr B and C. In fact, the note of DoP&T is silent on whether there would be any threshold of pension that will be ignored for the B and C categories. DoP&T needs to bring out clarity in this regard.
4. Therefore, the following concerns arise from the proposal of DoP&T:
  - i. The proposal of DoP&T does not clarify whether a threshold of pension is intended to be defined for Gr B and C. In case the entire pension is to be ignored, the stated objective of uniformity in pay fixation will not be achieved. It may not be out of place to mention that DoPT had earlier (2019) proposed to define a threshold of 70% of pension or Rs. 15000, whichever is lower, for all categories. It is important that DoPT clarify on the continued application of threshold or otherwise explicitly.
  - ii. In case no threshold is intended, there would be significant financial implications. This is because Group B and C (including PBORs) will now be given the benefit of pay protection in addition. To take a decision on the matter, it is necessary to estimate the quantum of additional financial implication and DoPT may be requested to provide an estimate on the same.
  - iii. DoP&T proposes to effect such changes retrospectively from 1.1.2016. This is unusual as changes always are brought in prospectively. The implication of the date 1.1.2016 is implementation of 7th CPC. However, this was not a recommendation of 7th CPC and there is no basis for such retrospective application. Besides, retrospective application will have very significant financial implications which needs to be worked out and informed by DoPT to enable taking a decision.

- iv. At present, the aspect of ignoring a portion of pension arises in case of those who retire before the age 55. However, draft 2019 OM of DoPT had intended to increase this age to 57 which will also add to financial implications. It is important that DoPT inform their views specifically on the subject and in case any enhancement of age is intended, work out and inform the financial implications to enable a view.
  - v. The draft 2019 OM also seeks to deal with certain specific categories of employees (ex-combatant clerks, Military Reservists, Short Service Commissioned Officers, retrenched staff, etc). The present proposal does not provide any clarity in this regard. DoPT may examine the matter and clarify the intent for an appropriate view.
5. DoP&T is accordingly advised to re-consider the issue in the light of the above and then bring out a clear proposal along with an estimate of financial implications. 8th CPC is expected to be set up soon. DoPT could also consider referring the matter to them.
  6. This has the approval of **Secretary (Expenditure)**.

**(Vijay Kumar Sharma)**  
**Under Secretary**

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MoF/DoE ID No: 03-01/2017-E.IIIA (4117663) dated: 26.06.2025