

No.28/7/99-P&PW (B)(Vol.II)
 Government of India
 Ministry of Personnel, PG & Pensions
 Department of Pension and Pensioners' Welfare

Third Floor, Lok Nayak Bhavan,
 New Delhi-110003.

Date the 11th April, 2001

OFFICE MEMORANDUM

Subject: **Re-employed military pensioners – drawal of separate military pension –removal of limitation on Civil pension.**

The Government employees who got re-employment after rendering civil service are governed by the provisions of Rule 18 and those who got re-employment in civil service after rendering military service, are governed by Rule 19 of CCS (Pension), Rules, 1972. Rule 18(3) provides for limitation of pensionary benefits in the second spell of civil service. Rule 19 has no such provision for limitation. However, in the case of military pensioners re-employed in civil service, Rule 18(3) of CCS (Pension) Rules, 1972 was made applicable vide DP&AR's OM No.38/5/81-PU dated 5-3-1982.

2. The matter has been re-considered in consultation with Ministry of Finance and it has been decided that Rule 18 and 19 shall apply respectively to the civil and military re-employed pensioners. In other words, in the case of re-employment of a military pensioner in civil service, the pensionary benefits for second spell of service shall not be subject to any limitation as per provisions of Rule 18(3) of CCS (Pension) Rules, 1972.

3. The cases of re-employed military pensioners who opted for separate military and civil pension and whose cases were earlier decided otherwise, may be re-opened and pensionary benefits for civil service may be re-fixed without limitation as provided in preceding para.

4. All Ministries/Departments are requested to bring provisions of this OM to the notice of all attached/subordinate Offices and autonomous bodies under administrative control of the concerned Ministries/Departments.

**Sd/-
 (Sujit Datta)
 Director (PW)**

To
 All Ministries/Departments of Government of India

