

F No 38/38/02-P&PW(A)  
Government of India  
Ministry of Personnel, P G and Pensions  
Department of Pension and Pensioners' Welfare

3<sup>rd</sup> Floor, Lok Nayak Bhavan  
Khan Market, New Delhi

Dated 23.4.03

**OFFICE MEMORANDUM**

Subject : Re-employed military pensioners – removal of floor ceiling of minimum pension.

The undersigned is directed to refer to this Department's OM No 28/7/99-P&PW(B) (Vol.II) dt 11.4.01 on the above subject and to say that it was clarified therein that the Rules 18 and 19 of the CCS (Pension) Rules 1972 shall apply irrespectively to civil and military re-employed pensioners. It was further clarified that in the case of re-employment of military pensioners in civil service, the pensionary benefits for the second spell of service shall not be subject to any limitation as per provisions of Rule 18(3) of CCS (Pension) Rules 1972. In the OM No 45/86/97-P&PW (A) (Part II) dated 27.10.97 issued by the Department for implementing of Government's decision in the matter of revision of pension of pre-86 pensioners, family pensioners etc. It was provided that pension would be fixed as per the consolidation formula. In Para 5.1, thereof, it was provided that where the pension/family pension so worked out was less than Rs 1275/-, the same shall be stepped upto Rs 1,275/-. Further, in the case of pensioners who are in receipt of more than one pension the floor ceiling of Rs 1,275/- will apply to total of all pensions taken together.

2. Following representations seeking clarification on the question whether the logic of stepping up of pension to minimum of Rs 1275/- should be extended to both military and civil pensions as well, independently, the matter has been examined in consultation with Department of Expenditure. It is clarified that in respect of civil and military pension, the floor ceiling of Rs 1275 taking the two pensions together will not apply and the individual pensions will be governed by respective pension rules. As had been indicated in the Department's OM No 28/7/99-P&PW (B) (Vol I) dt 11.4.01, the case of the re-employed 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 clarified above.

3. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide UO NO C-18/EV/2003 dt 4.03.2003.

4. In their application to the employees of Indian Audit & Accounts Department, these orders issue in consultation with the Comptroller & Auditor General of India.

5. Ministry of Agriculture etc. are requested to bring the contents of this order to the notice of Head of Department, Controller of Accounts/Pay & Accounts Officers of attached and sub ordinate offices under them. All pension disbursing authorities are also advised to prominently to display these orders on their notice boards for the benefit of pensioners.

Sd/-  
(Ganga Murthy Smt)  
Director