



# Chapter -18

## Voluntary Retirement

18.1 Facilities are available for government servants to retire from service voluntarily with full pensionary benefits before attaining the age of superannuation under the following rules:-

### 18.2. After attaining a specified age

FR 56 (k), (1) Any government servant may by giving notice of not less than three months in writing to the appropriate authority retire from service, after he has attained the age of 50 years if he is in Group 'A' or Group 'B' service or post (and had entered government service before attaining the age of 35 years and in all other cases after he has attained the age of 55 years.

Provided that:-

- (a) Not printed [since Clause (e) of FR 56 has been omitted]
- (b) Nothing in this clause shall also apply to a government servant, including scientist or technical expert who (i) is on assignment under the Indian Technical and Economics Co-operation (ITEC) Programme of the Ministry of External Affairs and other aid Programmes, (ii) is posted abroad in a foreign based office of a Ministry/Department and (iii) goes on a specific contract assignment to a foreign government unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year; and
- (c) it shall be open to the appropriate authority to withhold permission to a government servant under suspension who seeks to retire under this clause.  
(I-A) (a) A government servant referred to in sub-clause (1) may make a request in writing to the appointing authority to accept notice of less than three months giving reasons therefor;
- (d) On receipt of the request under sub-clause (I-A) (a), the appointing authority may consider such request for the curtailment of the period of notice of 3 months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of 3 months, on the condition that the government servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of 3 months.
- (2) A government servant, who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority shall be precluded from withdrawing his election subsequently except with the specific approval of such authority.

Provided that the request for withdrawal shall be within the intended date of retirement.



FR 56 (m). A government servant in Class III service or post who is not governed by any pension rules, may by giving notice of not less than 3 months in writing to the appropriate authority, retire from service after he has completed 30 'service'

NOTE 1: 'Appropriate authority' means the authority which has the power to make substantive appointments to the post or service from which the government servant is required or wants to retire.

NOTE 2: The three months 'notice' referred to in Clause (k) or (m) may be given before the government servant attains the age specified in Clause (k), or has completed 30 years of service specified in Clause (m), provided that the retirement takes place after he has attained the relevant age or has completed 30 years 'service, as the case may be.

NOTE 3: In computing the notice period of three months referred to in Clauses (k) and (m), date of service of notice and the date of its expiry shall be excluded.

### **18.3. After completing a minimum of 30 years qualifying service**

Rule 48. (I) At any time after a government servant has completed 30 years qualifying service

- (a) he may retire from service, or
- (b) he may be required by the appointing authority to retire in the public interest, and in the case of such retirement the government servant shall be entitled to a retiring pension :

#### **Provided that -**

Government servant shall give a notice in writing to the appointing authority at least three months before the date of which he wishes to retire; and the appointing authority may also give a notice in writing to a government servant at least three months before the date of which he is required to retire in the public interest or three months' pay and allowances in lieu of such notice.

Provided further that where the government servant giving notice under Clause (a) of the preceding proviso is under suspension, it shall be open to the appointing authority to withhold permission to such government servant to retire under this rule:

Provided further that the provisions of Clause (a) of this sub-rule shall not apply to a government servant, including scientist or technical expert who is—

on assignments under the Indian Technical and Economic Co-operation (ITEC) Programme of the Ministry of External Affairs and other aid programmes.

Posted abroad in foreign based offices of the Ministries/Departments.

On a specific contract assignment to a foreign government, unless, after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than on year.



- (1-A) (a) A government servant referred to in Clause (a) of the first proviso to sub-rule (I) may make a request in writing to the appointing authority to accept notice of less than three months giving reasons therefor.
- (b) On receipt of a request under Clause (a), the appointing authority may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, appointing authority may relax the requirement of notice of three months on the condition that the government servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months
- (2) A government servant, who has elected to retire under this rule and has given the necessary intimation to that effect to the appointing authority, shall be precluded from withdrawing his election subsequently except with the specific approval of such authority:  
Provided that the request for withdrawal shall be within the intended date of his retirement.
- (3) For the purpose of this rule the expression 'appointing authority' shall mean the authority which is competent to make appointments to the service or post from which the government servant retires.

(CCS (pension) Rule,1972.)

#### **18.4 Rule 48-A. Retirement on completion of 20 years' qualifying service**

- (1) At any time after a government servant has completed 20 years qualifying service, he may by giving notice of not less than three months in writing to the appointing authority, retire from service: provided that this sub-rule shall not apply to a Government servant, including scientists or technical expert who is on assignment under the Indian Technical and Economic Co-operation (ITEC) Programme of the Ministry of External Affairs and other aid programmes:  
Posted abroad in foreign based offices of the Ministries/Departments;  
On a specific contract assignment to a foreign government.  
Unless after having been transferred to India, he has resumed the charge of the post in India and served for a period of not less than one year.
- (2) Notice of voluntary retirement given under sub-rule (1) shall require acceptance by the appointing authority:  
Provided that where the appointing authority does not refuse to grant the permissions for retirement before the expiry of the period specified in the said notice, the retirement shall become effective from the date of expiry of the said period
- (3) **Deleted**
- (3-A) (a) A government servant referred to in sub-rule (1) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons therefor;



- (b) On receipt of a request under Clause (a), the appointing authority subject to the provision of sub-rule (2), may consider such request for the curtailment of the period of notice of three months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of three months on the condition that the government servant shall not apply for commutation of a part of his pension before the expiry of the period of notice of three months.
- (4) A government servant, who has elected to retire under this rule and has given the necessary notice to that effect to the appointing authority shall be precluded from withdrawing his notice except with the specific approval of such authority:  
Provided that the request for withdrawal shall be made before the intended date of his retirement.
- (5) This rule shall not apply to a government servant who—retires under Rule 29, or
  - (b) retires from Government service for being absorbed permanently in an autonomous body or a Public Sector Undertaking to which he is on deputation at the time of seeking voluntary retirement.

**EXPLANCTION:-** For the purpose of this rule, the expression “appointing authority” shall mean the authority which is competent to make appointments to the service or post from which the government servant seeks voluntary retirement

[CCS (pension) Rules, 1972 ]

### 18.5 On medical grounds

Rule 38. (1) Invalid pension may be granted if a government servant retires from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service.

(2) A government servant applying for an invalid pension shall submit a medical certificate of incapacity from the following Medical Authority, namely:

A Medical Board in the case of a Gazetted Government servant and of a non-Gazetted Government servant whose pay, as defined in Rule 9(2) of the Fundamental Rules, exceeds \* two thousand and two hundred rupees per annum; (IV CPC)

Civil Surgeon or a District Medical Officer or Medical Officer of equivalent status in other cases.

#### NOTE:

1. No medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the Head of his office or department is aware of the intention of the applicant to appear before the medical authority. The medical authority shall also be supplied by the Head of the office or department in which the applicant is employed with a statement of what appears from official records to be the age of the applicant. If a service Book is being maintained for the applicant; the age recorded therein should be reported.



**NOTE:**

- (2) A lady doctor shall be included as a member of their Medical Board when a woman candidate is to be examined.
- (3) The form of the Medical Certificate to be granted by the medical authority specified in sub-rule (2) shall be as in Form 23.
- (4) Where the medical authority referred to in sub-rule (2) has declared a government servant fit for further service of less laborious character than that which he had been doing. He should provided his willingness to be so employed, be employed on lower post and if there be no means of employing him even on a lower post, he may be admitted to invalid pension.

**[CCS (pension) Rules, 1972]**

Guidelines to be observed in regulating cases of voluntary retirement are at **Appendix-XXII**.