

Chapter Age of Retirement / Extension

As per Fundamental Rule, FR 56 (a), every Government servant shall retire from service on the afternoon of the last day of the month in which he attains the age of sixty years

[a Government servant whose date of birth is the first of the month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years].

2. On attaining the age indicated in the above rule, retirement is automatic and in the absence of specific orders to the contrary by the competent authority a government servant must retire on the due date. The date of superannuation of a government servant is known in advance and there be no question of failure to make arrangements for his release sufficiently in advance. It is the responsibility of the administrative authority concerned to ensure that the government servants under their control so retire.

3. There are certain exceptions which are indicated in the Table below:-

I. Exceptions

Sl.No.	Category of Government Servants	Age of superannuation	Reference
1.	Specialists in the Teaching, Non-Teaching and Public Health sub-Cadres of Central Health Service	62 years	FR 56 (bb)
2.	Specialists in the Teaching sub-cadres of the Central Health Service who are engaged only in Teaching activities and not occupying administrative positions. Note: As per Second Proviso to FR 56(bb) Teaching sub-cadre of Central Health Service who are occupying administrative positions	65 years	First Proviso to FR 56 (bb)

	shall have the option of seeking appointment to the teaching positions		
--	--	--	--

II. Extension:-

As per FR 56(d), no Government Servant shall be granted extension in service beyond the age of retirement of sixty years.

Extension, however, may be given in public interest to certain categories of Government servants which are indicated in the Table below:-

Sl.No.	Category of Government Servants	Period of extension	Reference
1.	Government servant dealing with budget work or working as a full-time Member of a Committee which is to be wound up within a short period of time.	Period not exceeding three months	First Proviso to FR 56(d)
2.	A Specialist in medical or scientific fields	Up-to Sixty Two years of age	Second Proviso to FR 56(d)
3.	Eminent Scientist of International Stature	Up-to Sixty Four years of age	Third Proviso to FR 56(d)
4.	Cabinet Secretary in the Central Government	For such period or periods as may be deemed proper subject to the condition that the total term as such Cabinet Secretary does not exceed four years	Fourth Proviso to FR 56(d)
4.	Defence Secretary, Foreign Secretary, Home Secretary, Director, Intelligence Bureau, Secretary, Research and Analysis Wing and Director, Central Bureau of Investigation	For such periods as may be deemed proper on case to case basis, subject to the condition that the total	Fifth Proviso to FR 56(d)

		term of the incumbents does not exceed two years	
5.	Home Secretary and Defence Secretary.	For a further period not exceeding three months beyond the period of two years in 4 above.	Sixth Proviso to FR 56(d)
6.	Secretary, Department of Space and the Secretary, Department of Atomic Energy	For such period or periods as may be deemed proper subject to a maximum age of 66 years	Seventh Proviso to FR 56(d)

Provided also that the Appropriate Authority shall have the right to terminate the extension of service before the expiry of such extension by giving a notice in writing of not less than three months in the case of a permanent Government servant, or, of one month in the case of a temporary Government servant, or pay and allowances in lieu of such notice.

III. Distinction between Extension and Re-employment

The terms “Extension of service” and “Re-employment” may be differentiated as under:

- i. Where the services of a Government servant beyond the age of his superannuation are required in the same cadre post which he is holding at the time of superannuation, then such retention shall be treated as “extension of service”
- ii. Any proposal for retaining the services of a Government servant in the parent cadre beyond the normal age of superannuation in a post different from the one which he was holding at the time of superannuation should be discouraged. If however, such retention is for very exceptional reasons consider to be unavoidable, the same shall be treated as re-employment; and
- iii. Where the services of a Government servant on deputation to an ex-cadre post or holding an ex-cadre post are required by the competent authority beyond the date of his superannuation in his

parent service, then such retention, be it on the post he was holding at the time of superannuation or in any other post shall for all purposes be treated as re-employment.

DoPT O.M.No.26012/6/87-Estt (A) dated 13th April, 1988 > persmin > Establishment >Extension

IV. Criteria and Procedure for Extension

1. It would be appreciated that in each case of extension or re-employment, it is not only the next man who misses promotion but often several people miss consequential promotions all along the hierarchical strata. Thus, one person getting re-employment/extension means deferment of promotion for six or seven persons. Too many cases of extension in service or re-employment are apt to cause frustration and affect the morale of the staff in general. Keeping in view these circumstances the following criteria and procedure have been evolved with a view to ensure that extension / re-employment of superannuated officers are resorted to only in really exceptional circumstances.

2. The procedure indicated in the following paragraphs should also be followed by the Ministries / Departments in regard to posts in statutory / autonomous bodies and Public Sector Undertakings, the initial appointments to which are required to be made by or with the approval of the President / Central Government. Ministries / Departments of the Government of India should bring to the notice of the autonomous bodies the instructions mentioned and request them to consider whether similar principles should not be adopted by them for other appointments.

I. CRITERIA FOR EXTENSION / RE-EMPLOYMENT

- 1) No proposal for extension of service/re-employment beyond the age of superannuation shall be considered.
- 2) Extension of service / re-employment can be justified only in very rare and exceptional circumstances. Even in such cases, 60 years of age should be the deadline for non-scientific / technical posts and 62 years in the case of specialists in the medical and scientific fields. The over-riding consideration for the grant of extension of service / re-employment is that it must be clearly in the public interest and in addition satisfy one of the following two conditions:-

- i. that the retiring specialist is not just one of the outstanding officers but is really head and shoulders above the rest; or
- ii. that other specialists are not ripe enough to take over the job.

Test (ii) would be satisfied only if there is shortage in particular specialization or if it is not possible to find a suitable successor or if the officer is engaged on a work or project of vital importance which is likely to produce results in a year or two. If specialists in the next lower post are not eligible for promotion on the ground that they have not put in the minimum service in the lower grade prescribed under the rules, no promotion can be made to the higher grade, unless such specialists put in the requisite length of service. But specialists who are eligible for promotion to the post against which extension / re-employment is recommended, should not be rejected solely on the ground that they do not have as much experience as the retiring officer. They should be considered for promotion according to the recruitment rules and if they are found suitable they should be promoted to the posts being vacated by the retiring specialists.

3. Whenever any specialist is considered for grant of extension, his character roll and personal file should be carefully scrutinized and all other relevant information that may be available should be taken into account to judge whether the specialist had good reputation for integrity and honesty. In cases where the specialist is not considered to have good reputation for integrity and honesty, he should not be considered for grant of extension in service. The appropriate authority in the Administrative Ministry should furnish a certificate of Integrity along with the **Annexure-I** as contained in DoPT O.M.No.26012/6/2002-Estt (A) dated 9.12.2002 where grant extension of service is proposed.

Annexure-I > persmin.nic.in > OM & Orders > Establishment

[O.M.No.26012/6/2002-Estt (A) dated 9.12.2002]

“Having scrutinized in character roll and personal file of Shri/Smt./Kum._____ and having taken into account all other relevant available information, I certify that he/she has a good reputation for integrity and honesty.”

4. While making proposals for extension of service in higher posts, it is all the more necessary to apply higher standards of efficiency to persons whose appointments to the higher posts are recommended for approval of the Appointments Committee of the Cabinet. The number of top posts is bound to be very limited and a few persons should not have them for too long. No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

5. No extension of service should be considered on the ground that a suitable successor is not available unless it is established that action to select a successor had been taken well in advance but the selection could not be finalized in time for justifiable reasons. A proposal for the grant of extension of service based merely on the consideration that the specialist's predecessor had been given extension should obviously not be accepted.

V. PROCEDURE FOR PROCESSING CASES OF EXTENSION OF SERVICE FOR SERVICE OF SCIENTISTS BEYOND THE AGE OF SUPERANNUATION

General Procedure

Departmental Peer Review Committees (DPRCs) headed by the Secretary of the Scientific Departments constituted by the DOP&T with the approval of Prime Minister for a term of 2 years shall consider the cases of extension of service of scientists beyond 60 years and upto 62 years.

2. The existing/reconstituted Departmental Peer Review Committees shall also do the first stage screening of Scientists for their extension beyond 62 years of age and thereafter the DPRCs' recommendations will be placed before the Committee under the Cabinet Secretary provided that the DPRCs have atleast two outside experts apart from Secretary(Personnel & Training). The DPRCs must give detailed justification for such extension based on merits of the case, the international stature of the person recommended and also indicate whether this will block promotion opportunities of others in the Department. Such recommendations of the DPRC for extension of service of Scientists beyond 62 years will be sent to the Establishment Division of the Department of Personnel & Training for placing the cases before the Committee under Cabinet Secretary. Only such cases recommended by the Committee under Cabinet Secretary will be processed further for approval of ACC through the office of the Establishment Officer. Cases of extension of service of Scientists beyond 60 years and up to 62 years recommended by DPRC will continue to be sent directly to the office of Establishment Officer in DOP & T.

3. All proposals for extension of service of Scientists beyond 62 years in terms of the 3rd proviso to FR 56(d) may be processed keeping in view the above guidelines in addition to the criteria stipulated in the OM dated 9.12.2002.

(DoP&T O.M.No.26012/8/2011-Estt (A) dated 16th May, 2011) >
persmin.nic.in > OM & Orders > Establishment

VI. Central Secretariat Service Officers

All cases of extension of service / re-employment of officers belonging to CSS/CSSS/CSCS beyond the age of 60 years are require to

be referred to the CS Division of the Department of Personnel and Training for prior approval.

VII. Re-employment of Ex-Servicemen

Cases relating to re-employment of Ex-Servicemen will be regulated by Ex-servicemen (Re-employment in Central Services and Posts) Rules, 1979 as amended from time to time.

VIII. Curtailment of the period of Extension / Re-Employment

A situation might arise where the grant of extension of service / re-employment beyond the age of superannuation for a specified period might have to be cancelled or modified at a later date for administrative reasons. The eighth Proviso below FR 56(d) empowers the appropriate authority to terminate the extension of service before the expiry of such extension by giving a notice in writing of not less than three months in the case of a permanent Government Servant or one month in the case of a temporary government servant; or pay and allowances in lieu of such notice. In every case the orders granting an extension of service/re-employment should include a clause providing for termination of service after three months/one month's notice at any time within the period of extension / re-employment.

IX. Promotion

No Government servant who is on extension of service after the prescribed date of retirement should be promoted to another post during the period of extension of service.

X. Pay

The pay of superannuated Government servant re-employed in Central Civil Department will be regulated in accordance with the instructions contained in Department of Personnel & Training's O.M.No.3/1/85-Estt. (Pay-II) dated 31st July, 1986

(DoP&T O.M.No.3/1/85-Estt (Pay-II) dated 31st July, 1986) >
persmin.nic.in > OM & Orders > Establishment

XI. Autonomous Bodies

Autonomous Bodies are also expected to follow Government orders and guidelines issued in this regard from time to time.

DoP&AR O.M.No.26011/1/77-Estt (B) dated 18.5.1977 > persmin.nic.in>
OM & Orders > Establishment

DoP&T O.M.No.25012/8/98-Estt (A) dated 30th May, 1998) >
persmin.nic.in > OM & Orders > Establishment>superannuation.

DoPT O.M.No.26012/6/2002-Estt (A) dated 9.12.2002 Annexure-I >
persmin.nic.in > OM & Orders > Establishment

DoP&T O.M.No.26012/8/2011-Estt (A) dated 16th May, 2011) >
persmin.nic.in > OM & Orders > Establishment