

**GOVERNMENT OF ODISHA
FINANCE DEPARTMENT**

OFFICE MEMORANDUM

No. FIN-CS3-PEN-0016-2020/31425/F,

Date: 14-11-2024

Sub: Clarification on admissibility of dual family pension from military as well as civil employment

(1) As per Rule 30 of the OCS (Pension) Rules' 1992, when a Military Pensioner gets re-employment in a civil service and subsequently retires from civil service on attaining the age of superannuation, he has to choose one of the following two options.

(a) to continue to draw military pension and retain gratuity received on discharge from military service, in which case his former military service shall not count as qualifying service for determination of his pension vis-à-vis his civil service ; or

(b) to opt for counting of his former military service as qualifying service for determination of his pension vis-à-vis his civil service . (In such case, his pension from military side shall be ceased and he has to refund the military pension already drawn after re-employment, value received for commutation of military pension and the amount of retirement gratuity including service gratuity or bonus, if any.)

(2) In the matter of family pension, as per Ministry of Defense (GoI) letter dated 17.01.2013, families of Armed Forces Personnel who got re-employed in Civil service after getting retired from military service and were in receipt of military pension, are allowed to draw, w.e.f. **24.09.2012**, family pension from military side as well as from civil side subject to fulfillment of prescribed conditions.

(3) It has come to our notice that, in some cases, civil family pension pertaining to civil service under the state Government was denied by the state Government authorities on the ground that the person concerned had already been getting military family pension. Rule 56(16) of the OCS (Pension) Rules' 1992 was often quoted to justify such denial. There exists doubt in some quarters as to whether a person, who is getting military family pension, will get civil family pension or not. It is, therefore, hereby clarified that the cited Rule 56(16) of the OCS (Pension) Rules' 1992 is no way prohibitive of dual family pension pertaining to military family pension. Therefore, w.e.f. 24.09.2012, a person getting military family pension is also entitled to get civil family pension with associated Dearness Relief/ Temporary Increase. However, scope for dual family pension will not arise where military service is counted as qualifying service for determination of civil service pension, as per option exercised by the employee concerned as mentioned in paragraph-1(b) above.

All Departments of Government are requested to bring this clarification to the notice of their Sub-ordinate offices.



(Saswat Mishra)

Principal Secretary to Government

Memo No. 31426 /F.,

Date: 14-11-2024

Copy forwarded to All Departments of Government/ All Heads of Departments/ All Collectors/ All District and Sessions Judges/ The Principal Accountant General (A&E), Odisha, Bhubaneswar/ The Controller of Accounts, Odisha, Bhubaneswar/ Deputy Accountant General, Odisha, Puri/ Secretary to Governor/ Additional Chief Secretary to Chief Minister/ PS to the Chief Secretary/ Secretary to Odisha Legislative Assembly/ Director General, Gopabandhu Academy of Administration, Bhubaneswar/ Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar/ Principal, Odisha Secretariat Training Institute, Bhubaneswar for information.

PR Mishra
14/11/24

Joint Secretary to Government

Memo No. 31427 /F.,

Date: 14-11-2024

Copy forwarded to all Officers and all Branches of Finance Department for information.

PR Mishra
14/11/24

Joint Secretary to Government

Memo No. 31428 /F.,

Date: 14-11-2024

Copy forwarded to Sri Tapan Kumar Pattanaik, Sub-Nodal Officer (E-Gazette), FID, Finance Department for information and necessary action.

He is requested to hoist this Office Memorandum in the Official Website (<https://finance.odisha.gov.in>) of Finance Department for general information.

PR Mishra
14/11/24

Joint Secretary to Government