

Government of Himachal Pradesh
Finance(Pension)Department

No. Fin (Pen)A(3)-1/2023

Dated: Shimla-171002 the 4th May, 2023

OFFICE MEMORANDUM

The undersigned is directed to say that in terms of amendments made in the Central Civil Services (Pension) Rules, 1972 vide notifications No. Fin (Pen)A(3)-1/2023 dated 4th May, 2023 and the Himachal Pradesh Civil Services Contributory Pension Rules, 2006, vide notifications No. Fin (Pen)A(3)-1/2023 dated 4th May, 2023 as applicable in the Himachal Pradesh, the Government has decided to issue the following Instructions/ Standard Operating Procedures, to implement the Old Pension Scheme also known as the Central Civil Services (Pension) Rules, 1972, for the existing/retired employees who are/were covered under the National Pension System:-

- Signature*
- (i) An employee, who wishes to remain under the National Pension System, shall exercise an option, within sixty days from the date of issuance of these instructions, at Annexure-I, which shall be duly notarized and submitted to the Head of Office. Such employee(s), shall continue to be covered under the National Pension System (also known as Contributory Pension Scheme). The contributions (both employer's and employee's share) under the National Pension System, shall be deposited as per the Pension Fund Regulatory and Development Authority Regulations, till the retirement of employee(s).
 - (ii) The Government employees who wishes to be covered under the Central Civil Services (Pension) Rules, 1972, also known as Old Pension Scheme, shall exercise an option, within sixty days from the date of issuance of these instructions, on the prescribed format at Annexure-II. An undertaking shall also be furnished by such employees on the prescribed format at Annexure-III. The 'option' and 'undertaking' as per the Annexure-II and Annexure-III, shall be duly notarized and same will be submitted to the Head of Office.
 - (iii) An Option once exercised by the Government employees, either opting for the Central Civil Services (Pension) Rules, 1972 or the National Pension System shall be final and irrevocable. If an employee fails to exercise an option within the stipulated period, it shall be deemed that he/ she wishes to be continued under the National Pension System.

- (iv) The employees covered under the National Pension System and opting for the Central Civil Services (Pension) Rules, 1972, also known as the Old Pension Scheme, shall also be covered under the General Provident Fund (Central Service) Rules, 1960.
- (v) The State Government vide Office Memorandum No. Fin (Pen)A(3)-1/2023 dated 17.04.2023, has decided that contributions of the State Government employees (i.e. employee's and employer's share) covered under National Pension System shall be stopped w.e.f. 1st April, 2023. Now, in partial modification of the Office Memorandum dated 17.04.2023 above, it has been decided that the contributions of the State Government employees (i.e. employee's and employer's share) who opt for National Pension System (NPS) as per para-1 above, shall continue to be deposited under National Pension System (NPS). In any case, if the contribution for the month of April, 2023 of an employee, who has now opted for National Pension System (NPS), was stopped in view of OM dated 17.04.2023 above, he/ she may be at liberty to deposit his/ her contribution under National Pension System(NPS). In such cases, Government share will also be deposited.
- (vi) The Government Servants, who have opted for the Central Civil Services (Pension) Rules, 1972, i.e. Old Pension Scheme, shall be paid pensionary benefits under these Rules subject to deposit of Government contribution and dividend/ return earned thereon, to the State Government. The amount of the Government contribution shall be deposited under the Receipt Head "0071- Contribution & Recoveries towards pension and other retirement benefit, 01-Civil, 101-Subscriptions and Contributions, 03-Accumulated Pension Wealth in respect of National Pension System subscribers" and the amount of dividend/ return earned on the Government contribution, till the date of withdrawal, shall be deposited under Receipt Head "0071-Contribution & Recoveries towards pension and other retirement benefit, 01-Civil, 101-Subscriptions and Contributions, 04-Accumulated dividend on Government Contribution of National Pension System employees converted into Old Pension Scheme."
- (vii) Employees, who were covered under the National Pension System (NPS) and have already retired/ died, between the period 15.05.2003 to 31.03.2023 and who fulfil the eligibility criteria under the Central Civil Services (Pension) Rules, 1972, such retired employee and eligible family member of deceased

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employee, shall be entitled to pension from prospective date i.e. with effect from 01.04.2023, on exercising an option for the same on the prescribed format at Annexure-II and submission of an undertaking at Annexure-III, subject to deposit of the Government contribution and dividend/ return, till the date of withdrawal, to the State Government. The amount of Government contribution and dividend/ return shall be deposited under the Receipt Head "0071-Contribution & Recoveries towards pension and other retirement benefit, 01-Civil, 101-Subscriptions and Contributions, 03-Accumulated Pension Wealth in respect of National Pension System Subscribers and 04-Accumulated dividend on Government Contribution of National Pension System employees converted into Old Pension Scheme."

- (viii) Employees' own contribution alongwith dividend/ return earned thereon, shall be retained by such employees who have opted for the Central Civil Services (Pension) Rules, 1972.
- (ix) The employees covered under National Pension System and opting for the Central Civil Services (Pension) Rules, 1972 i.e. Old Pension Scheme, shall also furnish an undertaking for adjustment of the Government contribution and dividend earned thereon, from the gratuity/ leave encashment/ GIS, if they fail to deposit such amount to the Government Account.
- (x) If an employee, who has opted for Central Civil Services (Pension) Rules, 1972 i.e. Old Pension Scheme, fails to deposit Government contribution and dividend earned thereon, to the Government Account, and said amount is also not possible to be adjusted completely against the payment of gratuity/ leave encashment/ GIS, then such an employee shall not be entitled to any pension under the Central Civil Services (Pension) Rules, 1972.
- (xi) The Head of Department/ Head of Office shall take up the pension cases of Government employees, who opted for the Old Pension System, with the Principal Accountant General (A&E), Himachal Pradesh, for authorisation after following due procedure and codal formalities under the CCS(Pension)Rules, 1972.
- (xii) The procedure to regulate the benefits under the CCS(Pension)Rules, 1972, and the General Provident Fund (Central Service) Rules, 1960, shall be same as applicable to the employees appointed on or before 14.05.2003 and these rules will be followed mutatis-mutandis for the employees appointed on or after

15.05.2003 and have opted for the CCS(Pension)Rules, 1972 i.e. Old Pension Scheme, with the conditions as mentioned above.

- (xiii) Before sending the pension cases to the Principal Accountant General(A&E) Himachal Pradesh for authorisation, the Head of Department/ Head of Office, shall ensure that the amount of the Government contribution and dividend/ return earned thereon, under the National Pension System, till the date of withdrawal, are deposited in the Government account. A Certificate to this effect shall be recorded in the service book of the Government servant by the concerned authority as under:

"It is certified that the amount of Government contribution and dividend earned thereon, under the National Pension System, till the date of withdrawal, has been deposited in the Government Receipt Head "0071- Contribution & Recoveries towards Pension and other Retirement Benefit 01-Civil, 101-Subscriptions and Contributions, 03-Accumulated Pension Wealth in respect of National Pension System Subscribers and 04-Accumulated dividend on Government Contribution of National Pension System employees converted into Old Pension Scheme, as on the date of submission of pension case to the Pr.AG(A&E) H.P."

By Order

**Prabodh Saxena, IAS
Chief Secretary to the
Government of Himachal Pradesh**

Endst. No. Fin (Pen)A(3)-1/2023 dated: the 4th May, 2023

Copy forwarded for information and necessary action to: -

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. The Divisional Commissioner, Shimla, Mandi and Kangra at Dharamshala Himachal Pradesh.
3. The Resident Commissioner, Himachal Pradesh, Himachal Bhawan, 27-Sikandra Road, New Delhi-110001.
4. All the Heads of Departments in Himachal Pradesh.
5. The Secretary to the Governor, Himachal Pradesh, Shimla-2
6. The Principal Accountant General (Audit) Himachal Pradesh, Shimla-171003.
7. The Principal Accountant General (A&E) Himachal Pradesh-171003.
8. The Principal Private Secretary-cum-Special Secretary to the Chief Minister, Himachal Pradesh, Shimla-2.
9. All the Deputy Commissioners in Himachal Pradesh.
10. The Secretary, Himachal Pradesh Public Service Commission Shimla-2.
11. The Registrar General, H.P. High Court, Shimla-171001.
12. All the District and Sessions Judges in the Himachal Pradesh.

13. The Sr. Private Secretary to the Chief Secretary to the Government of Himachal Pradesh.
14. All the Universities/ Corporation/ Boards & Public Sector Undertakings-in Himachal Pradesh.
15. The Controller, Printing & Stationery Department, Himachal Pradesh, Shimla-171005, for publication in the Rajpatra.
16. The Controller (F&A), Personnel Department, H.P. Secretariat Shimla-2.
17. All the Controllers /Joint Controllers/ Deputy Controllers/Asstt. Controllers/ Section Officers under control of Department of Treasuries, Accounts & Lotteries, H.P.
18. All the District Treasury Officers/Treasury Officers in Himachal Pradesh.
19. All Sections of the Finance Department, H.P. Secretariat Shimla-2.
20. The Incharge, NIC, H.P. Secretariat, Shimla-2 with the request to upload this notification on the State Finance Department's Website <https://himachal.nic.in/finance>.

Amarjeet Singh
4/5/23

(Amarjeet Singh, IAS)
Special Secretary (Finance) to the
Government of Himachal Pradesh.

Option to remain under National Pension System (NPS)

Affidavit

I, _____ designation _____ Office/
Department _____ hereby exercise an option today on _____, to
continue (remain) in the existing National Pension System (Contributory Pension
Scheme) in reference to Finance Department Notification No.Fin(Pen)A(3)-
1/2023 dated 4th May, 2023.

This Option exercised by me shall be final and irrevocable.

Date of	Signature of Subscriber	_____
Option	Name	_____
_____	Designation	_____
	PRAN	_____
	PMIS No	_____
	IP No	_____
	Office in which employed	_____
	Telephone No	_____

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Option to cover under the CCS (Pension) Rules, 1972 (OPS)

Affidavit

I, _____ designation _____ Office/
Department _____ hereby solemnly affirm and exercise an option
today on _____, in reference to Notification No. Fin(Pen)A(3)-1/2023 dated
4th May, 2023, and declared on oath as under:-

1. That I hereby tender affidavit to the effect that I have carefully gone through and understood the Government Notification No. Fin(Pen)A(3)-1/2023 dated 4th May, 2023 & the Standard Operating Procedure (SOP) and after due application of my mind, I hereby exercise an option to be covered under the CCS (Pension) Rules, 1972 (OPS)
2. That I will be entitled for the benefit under CCS (Pension) Rules, 1972 (OPS) only after depositing the Government Contribution alongwith dividend/ return earned till the date of withdrawal on such contribution, in the Government Treasury. Any shortage in the amount of Government contribution and dividend/ return thereon, shall be adjusted/ recovered from my DCRG/ Leave encashment/ GIS payments.
3. That I was appointed between the period 15.05.2003 to 31.03.2023 and retired from service on _____. I hereby tender affidavit to the effect that I have carefully gone through and understood the Government Notification No. Fin(Pen)A(3)-1/2023 dated 4th May, 2023 & the Standard Operating Procedure (SOP) and after due application of my mind, I hereby exercise an option to be covered under the CCS (Pension) Rules, 1972 (OPS) subject to deposit of Government contribution and dividend/ return earned thereon, till the date of withdrawal to the Government treasury. In case, I fail to deposit Government contribution and dividend earned thereon, to the Government Account, I will not be entitled to any Pension under the Central Civil Services (Pension) Rules, 1972.
4. That late Shri _____ my _____ (relation) who was appointed between the period 15.05.2003 to 31.03.2023 and died during service/ after retirement, on _____. I/We _____ (relation) of late Shri _____ (eligible family member(s)) hereby tender affidavit to the effect that I/We have carefully gone through and understood the Government Notification No.

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Fin(Pen)A(3)-1/2023 dated 4th May, 2023 & the Standard Operating Procedure (SOP) and after due application of mind, hereby exercise an option to be covered under the CCS (Pension) Rules, 1972 (OPS) subject to deposit of Government contribution and dividend/ return earned thereon, till the date of withdrawal to the Government treasury. In case, I/We fail to deposit Government contribution and dividend/ return earned thereon, to the Government Account, I/We, will not be entitled to any Pension under the Central Civil Services (Pension) Rules, 1972.

5. This option exercised by me shall be final and irrevocable.
6. That in the event of non-receipt of my share from the NPS account in any form, I will not claim for the same from the Government.
7. That my contribution toward NPS account @10 % may be stopped w.e.f. _____ and I may be covered under the General Provident Fund(CS) Rules ,1960.
8. That in case of any ambiguity the interpretation made by the Finance Department will be final and acceptable to me.

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Date of _____ Signature _____
Option _____ Name _____
Designation _____
PRAN _____
PMIS No _____
IP No _____
Office in which employed _____
Telephone No _____

An Undertaking (on affidavit) for the adjustment/deposit of Government contribution and dividend/ return, on exercising an option for the CCS (Pension) Rules, 1972(OPS).

I, _____ designation _____ Office/ Department _____ have carefully gone through the Government Notification No. Fin(Pen)A(3)-1/2023 dated 4th May, 2023 and understood that I will be eligible for pension under the CCS (Pension) Rules, 1972 (OPS) only after depositing the Government contribution deposited in my NPS account and the amount of dividend earned on it, till the date of withdrawal, in the Government Account (Treasury). I also agree for adjustment of the amount of Government contribution and dividend earned on it, from the amount of Gratuity/ Leave Encashment/ Group Insurance Scheme, payable to me.

Or

That late Shri _____ my _____ (relation) who was appointed between the period 15.05.2003 to 31.03.2023 and died during service/ after retirement, on _____. I/We _____ (relation) of late Shri _____ (eligible family member(s)) have carefully gone through the Government Notification No. Fin(Pen)A(3)-1/2023 dated 4th May, 2023 & the Standard Operating Procedure (SOP) and understood that I/We, will be eligible for pension under the CCS (Pension) Rules, 1972 (OPS) subject to deposit of Government contribution and dividend/ return earned under the NPS, till the date of withdrawal, in the Government Account (Treasury).

Date of Option _____ Signature _____
Name _____
Designation _____
PRAN _____
PMIS No _____
IP No _____
Office in which employed _____
Telephone No _____

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