



Most Important

**मुख्यालय
कर्मचारी राज्य बीमा निगम
पंचदीप भवन सी. आई. ज़ी. मार्ग, नई दिल्ली-2**

संख्या: ए-40/12/1/PFRDA/2020-लेखा-4

दिनांक:-18/11/2021

Circular

Subject- Clarification in r/o NPS Corpus on Death while in duty/Death in harness-regd.

- Reference:-**
1. The Govt. Of India, DoP&P Welfare Gazette Notification no. CG-DL-E-31032021-226276 Dated:- 31st March 2021.
 2. PFRDA Gazetted PFRDA (Exits and Withdrawals Under the NPS) Regulations 2015, Notification Dated:- 11st May 2015.
 3. PFRDA Gazetted PFRDA (Exits and Withdrawals Under the NPS) (First Amendment) Regulations 2017.
 4. PFRDA Letter F.No. PFRDA/24/Exit/1 Datd- May 26, 2016.

In respect of the above subject, circular dated 17/08/2021 (uploaded on the website) was issued by this branch informing that payment of NPS Corpus in Death Case of employees in duty under NPS is to be made as per CCS (Implementation of NPS) Rules 2021 and that units were required to contact CRA-NSDL (Sunny Gonsalves to Sunnnyg@nsdl.co.in) for details of ESIC contribution, Subscriber contribution and appreciation thereon.

References have been received from units regarding applicability of CCS (Implementation of NPS) Rules, 2021, in case of death of employees (death in harness) before the notification of CCS (Implementation of NPS) Rules 2021. It is clarified that CCS (Implementation of NPS) Rules 2021 is applicable from 31.03.2021 i.e. date of publication in the Gazette and case of death in harness before 31.03.2021 should be regulated as per extant guidelines.

Hence it is of utmost importance for field units to review such cases of settlement of family pension.

Enclosed:- As above.

(Alok Kumar Sinha)
Deputy Director(F)



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कर्मचारी राज्य बीमा निगम
पंचदीप भवन सी. आई. ज़ी. मार्ग, नई दिल्ली -2

संख्या: ए-40/12/1/PFRDA/2020-लेखा-4

दिनांक- 17.08.2021

सेवा में,

1. सभी क्षेत्रीय निदेशक, क्षेत्रीय कार्यालय, कर्मचारी राज्य बीमा निगम।
2. बीमा आयुक्त, प्रशिक्षण अकादमी, कर्मचारी राज्य बीमा निगम।
3. सभी निदेशक(प्रभारी)/संयुक्त निदेशक(प्रभारी)/उप निदेशक(प्रभारी), उप क्षेत्रीय कार्यालय, कर्मचारी राज्य बीमा निगम।
4. निदेशक(चिकित्सा)अधीक्षक।
5. सभी चिकित्सा अधीक्षक, कर्मचारी राज्य बीमा निगम।
6. सभी उप निदेशक/सहायक निदेशक(वित्त), कर्मचारी राज्य बीमा निगम।
7. अपर आयुक्त, स्थापना-5, कर्मचारी राज्य बीमा निगम मुख्यालय/वित्त एवं लेखा शाखा-3, कर्मचारी राज्य बीमा निगम मुख्यालय।

विषय: Detail of NPS Corpus in r/o Death Cases.

महोदय,


उपरोक्त विषय के संदर्भ में, आप सभी को सूचित किया जाता है कि NPS के अंतर्गत Death Case मामले में NPS Corpus भुगतान CCS(Implementation of National Pension System) Rules, 2021 के अनुसार किया जाना है। देखा गया है कि यूनिट्स द्वारा NPS Corpus के भुगतान हेतु ESIC अंशदान और Subscriber अंशदान की राशि को आकलन अलग अलग करने में समस्या हो रही है।

उपरोक्तानुसार, सभी को सूचित किया जाता है ESIC अंशदान और Subscriber अंशदान तथा उन पर प्रतिफल के विवरण हेतु CRA-NSDL से (**Sunny Gonsalves से Sunnyg@nsdl.co.in पर**) संपर्क करें। इसके उपरान्त ESIC अंशदान और प्रतिफल ESIC खाता-1 में चालान द्वारा जमा कर लेखा शाखा-2, मुख्यालय को सूचित करें तथा Subscriber का अंशदान और प्रतिफल Nominee व Legal Heir के खाते में जमा करें।

इसके अलावा निम्नलिखित विवरण लेखा शाखा-4, मुख्यालय को भेजे।

1. Name of the RO/SRO/Hospital_____
2. Name of the deceased employee_____
3. Name of the Nominee/Family Pensioner and relationship with deceased employee_____
4. Total Accumulated wealth of NPS received from NSDL_____
5. Employee's Share and appreciation thereon_____
6. ESIC's Share and appreciation thereon_____
7. Date of transfer of ESIC's share and appreciation thereon to ESIC A/Cs-1_____

भवदीय,


(अलोक कुमार सिन्हा)
उप निदेशक(वित्त)

प्रतिलिपि:- वेबसाइट सामग्री प्रबंधक को कर्मचारी राज्य बीमा निगम की वेबसाइट पर अपलोड करवाने हेतु।



कर्मचारी राज्य बीमा निगम
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
EMPLOYEES' STATE INSURANCE CORPORATION
(Ministry of Labour & Employment, Govt. of India)



मुख्यालय/Headquarters

पंचदीप भवन, सी.आई.जी. मार्ग, नई दिल्ली-110002
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No. A.40/11/1/99-E-III (Vol.III)

Date: 07.05.2021

MEMORANDUM

Sub: Central Civil Services (Implementation of National Pension System) Rules, 2021.

The Govt. of India, Department of Pension & Pension Welfare Gazette notification no. CG-DL-E-31032021-226276 dated 31.03.2021 on the above-mentioned subject is being circulated for further necessary action.

This issues with the approval of Competent Authority.

Encl: Gazette Notification dated 31.03.2021.

Nishant Kumar
(NISHANT KUMAR)
DEPUTY DIRECTOR

To,

1. PPS to D.G. / CVO / F.C.
2. All Insurance Commissioners / Medical Commissioner (MA) / Medical Commissioner (M.E.).
3. All the Regional Directors.
4. Director/Jt. Director I/c, Dy. Dir (I/c) of SROs.
5. Dy. Dir E-I /Dy. Dir. E-II/ Jt. Director- E-V, Hqrs. Office.
6. Dy. Dir (Medical Administration) / Dy. Dir (Medical Education).
7. Dir.(M) Delhi/Noida/K.K. Nagar.
8. Medical Superintendents ESI Hospitals/ESIC Model Hospitals/Dean, Medical Education Institutions.
9. Dy. Director/Jt. Director (Fin.) of all Regions/Directorates/Hospitals.
10. A.C. (Fin.)/Dir. (Fin.) Hqrs. Office.
11. Website Content Manager with request to upload this Memorandum on the website of ESIC.
12. Guard File.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-31032021-226276
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 178]
No. 178]

नई दिल्ली, बुधवार, मार्च 31, 2021/चैत्र 10, 1943
NEW DELHI, WEDNESDAY, MARCH 31, 2021/CHAITRA 10, 1943

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(पेंशन और पेंशनभोगी कल्याण विभाग)

अधिसूचना

नई दिल्ली, 30 मार्च, 2021

सा.का.नि.227(अ).—राष्ट्रपति, संविधान के अनुच्छेद 148 के खंड(5) और अनुच्छेद 309 के परंतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखापरीक्षा और लेखा विभाग में सेवा करने वाले व्यक्तियों के संबंध में भारत के नियंत्रक महालेखापरीक्षक से परामर्श करने के पश्चात, राष्ट्रीय पेंशन प्रणाली के कार्यान्वयन की पद्धति को विनियमित करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् -

1. **संक्षिप्त नाम और प्रारम्भ** - (1) इन नियमों का संक्षिप्त नाम केंद्रीय सिविल सेवा (राष्ट्रीय पेंशन प्रणाली का कार्यान्वयन) नियम, 2021 है।

(2) ये राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त होंगे।

2. **लागू होना**- इन नियमों में अन्यथा उपबंधित के सिवाय, ये नियम 1 जनवरी, 2004 को या उसके पश्चात रक्षा सेवाओं में सिविल सरकारी कर्मचारियों सहित संघ के मामलों के संबंध में सिविल सेवाओं और पदों पर मूल रूप से नियुक्त सरकारी कर्मचारियों को लागू होंगे, किंतु निम्नलिखित को लागू नहीं होंगे -

(क) रेलवे कर्मचारी;

(ख) नैमित्तिक और दैनिक मजदूरी वाला कर्मचारी;

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

NOTIFICATION

New Delhi, the 30th March, 2021

G.S.R. 227(E). – In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules regulating the methods of implementation of National Pension System, namely:-

1. Short title and commencement. – (1) These rules may be called the Central Civil Services (Implementation of National Pension System) Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application. – Save as otherwise provided in these rules, these rules shall apply to the Government servants, including civilian Government servants in the Defence Services, appointed substantively to civil services and posts in connection with the affairs of the Union on or after 1st day of January, 2004, but shall not apply to,-

- (a) Railway servants;
- (b) persons in casual and daily rated employment;
- (c) persons paid from contingencies;
- (d) members of the All India Services;
- (e) persons locally recruited for services in diplomatic, consular or other Indian establishments in foreign countries;
- (f) persons employed on contract;
- (g) persons whose terms and conditions of service are regulated by or under the provisions of the Constitution or any other law for the time being in force; and
- (h) persons to whom the Central Civil Services (Pension) Rules, 1972 apply in accordance with any special or general order issued by the Government.

3. Definitions. – In these rules, unless the context otherwise requires,-

- (1) (a) "Accredited Bank" in relation to a Ministry or Department or Union territory means the Reserve Bank or any bank which is appointed to transact business of the Government pertaining to that Ministry or Department or Union territory and is officially recognised for transfer of funds to the Trustee Bank;
- (b) "Accumulated Pension Corpus" means the monetary value of the pension investments accumulated in the Individual Pension Account of a subscriber under the National Pension System;
- (c) "Annuity" means periodic payment by the Annuity Service Provider to the subscriber on purchase of annuity plan out of the Accumulated Pension Corpus;
- (d) "Annuity Service Provider" means a life insurance company registered and regulated by the Insurance Regulatory and Development Authority and empanelled by the Authority for providing Annuity services to the subscribers of the National Pension System;
- (e) "Authority" means the Pension Fund Regulatory and Development Authority established under sub-section (1) of section 3 of the Pension Fund Regulatory and Development Authority Act, 2013 (23 of 2013) and include interim Pension Fund Regulatory and Development Authority set up by the Central Government through Resolutions;
- (f) "Central Recordkeeping Agency" means an agency registered under section 27 of Pension Fund Regulatory and Development Authority Act, 2013 to perform the functions of recordkeeping, accounting, administration and customer service for subscribers to schemes;
- (g) "Drawing and Disbursing Officer" means a Head of Office and also any other Gazetted Officer so designated by a Department of the Central Government, a Head of Department or an Administrator, to draw bills and make payments on behalf of the Central Government. The term shall also include a Head of Department or an Administrator where he himself discharges such function;
- (h) "Cheque Drawing and Disbursing Officer" means a drawing and disbursing officer functioning under a Ministry or Department (including Central Public Works Department, Forest Department and Departments in which the provisions of Central Public Works Account Code are authorised to be followed) or a Union

- territory, who is authorised to withdraw money for specified types of payments against an assignment account opened in his favour in a specified branch of an accredited bank;
- (i) "Defence Services" means services under the Government of India in the Ministry of Defence and in the Defence Accounts Department under the control of the Ministry of Defence paid out of the Defence Services Estimates and not permanently subject to the Air Force Act, 1950 (45 of 1950) or the Army Act, 1950 (46 of 1950) or the Navy Act, 1957 (62 of 1957);
- (j) "Emoluments" means emoluments as specified in rule 5;
- (k) "Foreign Service" means service in which a Government servant receives his pay with the sanction of the Government from any source other than the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union territory;
- (l) "Government" means the Central Government;
- (m) "Head of Department" means an authority specified in Schedule 1 to the Delegation of Financial Powers Rules, 1978, and includes such other authority or person whom the President may, by order, specify as Head of a Department;
- (n) "Head of Office" means a Gazetted Officer declared as such under rule 14 of Delegation of Financial Powers Rules, 1978, and includes such other authority or person whom the Competent Authority may, by order, specify as Head of Office;
- (o) "Individual Pension Account" means an account of a subscriber, executed by a contract setting out the terms and conditions under the National Pension System;
- (p) "Local Fund administered by Government" means the fund administered by a body which, by law or rule having the force of law, comes under the control of the Government and over whose expenditure the Government retains complete and direct control;
- (q) "National Pension System" means the contributory pension system referred to in section 20 of the Pension Fund Regulatory and Development Authority Act, 2013 whereby contributions from a subscriber are collected and accumulated in an individual pension account using a system of points of presence, a Central Recordkeeping Agency and pension funds as may be specified by regulations by Pension Fund Regulatory and Development Authority;
- (r) "Pay and Accounts Officer" means an officer, whatever his official designation, who maintains the accounts of a Ministry, Department or Office of the Central Government or Union territory and includes an Accountant-General, who is entrusted with the functions of maintaining the accounts or part of accounts of the Central Government or Union territory;
- (s) "Pension fund" means an intermediary which has been granted a certificate of registration under sub-section (3) of section 27 of the Pension Fund Regulatory and Development Authority Act, 2013 by the Authority as a pension fund for receiving contributions, accumulating them and making payments to the subscriber in the manner as may be specified by regulations;
- (t) "Permanent Retirement Account Number" means a unique identification number allotted to each subscriber by the Central Recordkeeping Agency;
- (u) "Subscriber" means a Government servant who subscribes to a scheme of a Pension fund;
- (v) "Trustee Bank" means a banking company as defined in the Banking Regulation Act, 1949 (10 of 1949).
- (2) Words and expressions used herein and not defined but defined in the Fundamental Rules, 1922, the Central Civil Services (Pension) Rules, 1972, the Pension Fund Regulatory and Development Authority Act, 2013 or Pension Fund Regulatory and Development Authority regulations have the same meanings respectively assigned to them in those Act or Rules or Regulations.

GENERAL CONDITIONS

4. Registration into National Pension System. - (1) A Government servant to whom these rules apply, shall, immediately on joining service submit an application in Common Subscriber Registration Form or in any other form specified by the Authority along with an option form referred to in rule 10, to the Head of Office for registration to the National Pension System.

(2) The Head of Office shall on receipt of the application under sub-rule (1), ensure that the application is complete in all respects, countersign it indicating the date of receipt and send it to the Drawing and Disbursing Officer within three working days of joining of the Government servant. The Head of Office shall keep a copy of the application form for record.

- (3) The Drawing and Disbursing Officer shall forward the application of individual subscriber to the Pay and Accounts Officer or Cheque Drawing and Disbursing Officer, as the case may be, within three working days from the date of receipt of the application from the Head of Office.
- (4) The Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer, as the case may be, shall process the application received from the Drawing and Disbursing Officer and forward it to the Central Recordkeeping Agency through the online system within three working days from the date of receipt of the application from the Drawing and Disbursing Officer. The Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer shall also forward duly signed copy of the application to the Central Recordkeeping Agency for record.
- (5) The Central Recordkeeping Agency shall complete registration process and allocate a Permanent Retirement Account Number in respect of each Government servant in the form specified by the Authority as per the turn-around time specified by the Authority. After completion of the registration process, the Central Recordkeeping Agency shall communicate the Permanent Retirement Account Number to the Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer, as the case may be, and also forward Permanent Retirement Account Number kits to the Subscriber in accordance with the process and turn-around time laid down by the Authority.
- (6) The Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer, as the case may be, shall communicate Permanent Retirement Account Number (PRAN) to the concerned Drawing and Disbursing Officer immediately.
- (7) The Drawing and Disbursing Officer shall communicate the Permanent Retirement Account Number (PRAN) to the Head of Office immediately.
- (8) The Head of Office shall intimate the Permanent Retirement Account Number to the Subscriber and shall record the Permanent Retirement Account Number (PRAN) in the Common Subscriber Registration Form or any other form specified by the Authority submitted by the Subscriber and in the service book of the Subscriber and also paste a certified copy of the Common Subscriber Registration Form or any other form specified by the Authority in the service book of the Subscriber within five working days thereafter.
- (9) The authorities referred to in sub-rule (2) to sub-rule (8) shall ensure that there is no delay in the process of registration of the Government servant in the National Pension System and crediting of first contribution in his Individual Pension Account. The first contribution of the Government servant shall be credited in his Individual Pension Account within twenty days of the date of submission of the application under sub-rule (1) or by the last date of the month in which the Government servant joined, whichever is later.
- (10) In a case where the process of registration of the Government servant in the National Pension System has not been completed before the date of drawal of the salary for the first month or any subsequent month, such salary or salaries shall be paid to the Government servant after withholding the amount of contribution as determined in accordance with rule 6. The amount of the contribution withheld from the salary as well as the amount of interest payable under rule 8 shall be credited to the Individual Pension Account of the Government servant as soon as the process of generation of Permanent Retirement Account Number of Government servant in the National Pension System is completed by the Central Recordkeeping Agency and communicated to the Pay and Accounts Officer or Cheque Drawing and Disbursing Officer.
- (11) Action on the option form submitted under sub-rule (1) shall be taken in accordance with rule 10.
- 5. Emoluments.** – (1) The expression 'emoluments' for the purpose of determining the amount of mandatory contribution under the National Pension System includes basic pay as defined in rule 9 (21) (a) (i) of the Fundamental Rules, 1922, non-practicing allowance granted to medical officer in lieu of private practice and admissible dearness allowance in a calendar month.
- (2) Subject to the proviso to sub-rule (1) of rule 7, if a Subscriber had been absent from duty on leave for which leave salary is payable, the amount representing pay and dearness allowance in the leave salary actually drawn shall be taken into account for emoluments for the purpose of this rule. The amount of pay, non-practicing allowance and dearness allowance, actually drawn during leave shall be taken into account as emoluments for the purpose of this rule.
- (3) Subject to the proviso to sub-rule (1) of rule 7, if a Subscriber had been absent from duty or was on extraordinary leave, during whole or part of a calendar month, the pay or the amount representing pay, non-practicing allowance referred to in this rule and dearness allowance in the leave salary which he actually drew for the part of that calendar month during which he was on duty or was on leave for which leave salary is payable, shall be taken into account for emoluments for the purpose of this rule.
- (4) If a Subscriber had been under suspension, the subsistence allowance drawn during the period of suspension in a calendar month shall be taken into account for emoluments for the purpose of this rule.

(5) Pay drawn by a Subscriber while on deputation in India shall be taken into account for emoluments for the purpose of this rule.

(6) In the case of a Subscriber on foreign service or deputation outside India, the pay which he would have drawn under the Government had he not been on foreign service or such deputation, shall be taken into account for emoluments.

(7) Where a retired Subscriber, who is re-employed in Government service and to whom these rules are applicable and whose pay on re-employment has been reduced by an amount not exceeding his monthly pension, the element of monthly pension by which his pay is reduced shall be included in emoluments.

6. Contribution by the Subscriber to the National Pension System.- (1) The National Pension System shall work on defined contribution basis. A Subscriber shall make a contribution of ten per cent or such other percentage as may be notified from time to time, of his emoluments to the National Pension System every month. The amount of contribution payable shall be rounded off to the next higher rupee.

(2) Contribution may be made by the Subscriber, at his option, during the period of suspension:

Provided that where, in the final orders passed by the Government on conclusion of the inquiry, the period spent under suspension is treated as duty or leave for which leave salary is payable, contributions to the National Pension System shall be determined based on the emoluments which the Subscriber becomes entitled to for the period of suspension. The difference of the amount of contribution to be deposited and the amount of contribution already deposited during the period of suspension, shall be credited to the Individual Pension Account of the Subscriber along with interest. The rate of interest for this purpose would be the rate of interest as decided by the Government from time to time for the Public Provident Fund deposits.

(3) No contribution shall be made by the Subscriber during the period of absence from duty (whether on leave or otherwise) for which no pay or leave salary is payable.

(4) During the period of transfer on deputation to a Department or organisation under the Central Government or the State Government, the Subscriber shall remain subject to these rules in the same manner, as if he was not so transferred or sent on deputation and will continue to contribute towards National Pension System based on emoluments worked out in accordance with sub-rule (5) of rule 5.

(5) Contributions in respect of any arrears of salary received by the Subscriber due to retrospective increase shall be treated as the contributions for the month in which the payments are made.

(6) The Subscriber shall contribute toward National Pension System during the period spent under probation.

(7) Deduction and crediting of contributions to the Individual Pension Account during foreign service in India or outside India, including deputation to United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, or the Asian Development Bank or the Commonwealth Secretariat or any other International organisation, shall be regulated in accordance with the instructions issued by the Department of Personnel and Training from time to time and the procedure laid down by the Authority.

(8) The Drawing and Disbursing Officer shall deduct the contribution from the salary of the Government servant and send the bill to the Pay and Accounts Officer or Cheque Drawing and Disbursing Officer, as the case may be, along with details of contributions deducted in respect of each Subscriber on or before Twentieth day of each month.

(9) A Subscriber may, at his option, make contribution in excess of the contribution specified in sub-rule (1) in accordance with the procedure laid down by the Authority and the Government.

(10)(i) The Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer, as the case may be, based on the details of contributions in respect of each Subscriber sent by the Drawing and Disbursing Officer to Pay and Accounts Officer or Cheque Drawing and Disbursing Officer under sub-rule (8), shall prepare and upload a Subscription Contribution File and generate a Transaction ID by Twenty- fifth day of each month.

(ii) The Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer, as the case may be, shall remit the contribution to the Trustee Bank through the Accredited Bank by the last working day of each month :

Provided that the contribution for the month of March shall be remitted by the Pay and Accounts Officer or the Cheque Drawing and Disbursing Officer to the Trustee Bank through the Accredited Bank on the first working day of the month of April.

(iii) In case of delay in crediting of contribution to the Individual Pension Account of the Subscriber beyond the prescribed timeline due to factors not attributable to the Subscriber, the amount shall be credited to the Individual Pension Account of the Subscriber along with interest for the delayed period, as determined in accordance with rule 8.

7. Contribution by the Government. - (1) The Government shall make contribution of fourteen per cent or such other percentage as may be notified from time to time, of the emoluments of a Government servant to the Individual Pension Account of the Subscriber every month. The amount of contribution payable shall be rounded off to the next higher rupee :

Provided that in cases where the leave is granted to the Subscriber on medical ground or due to his inability to join or rejoin duty on account of civil commotion; or for pursuing higher studies considered useful in discharge of his official duty,

and during such leave, leave salary is not payable or is payable at a rate which is less than full pay, the Government shall make contribution equal to fourteen per cent or such other percentage as may be notified from time to time, of the notional emoluments comprising the amount representing pay and dearness allowance in the leave salary, non-practicing allowance referred to in rule 5.

(2) Subject to the proviso to sub-rule (1), no contribution shall be made by the Government for the period during which the Subscriber is not required to make contribution in accordance with these rules.

(3) In the case of a Subscriber under suspension, contribution shall be made by the Government on the basis of the emoluments determined by taking into account the subsistence allowance paid to the Subscriber during the period of such suspension :

Provided that no contribution shall be made by the Government during the period of suspension where the Subscriber had opted not to pay his contribution during the said period of suspension :

Provided further that where, in the final orders passed by the Government on conclusion of the inquiry, the period spent under suspension is treated as duty or leave for which leave salary is payable, contributions by the Government to the National Pension System shall be determined based on the emoluments which the Subscriber becomes entitled to for the period of suspension. The difference of the amount of contribution to be deposited by the Government and the amount of contribution already deposited during the period of suspension, shall be credited to the Individual Pension Account of the Subscriber along with interest. The rate of interest for this purpose would be the rate of interest as decided by the Government from time to time for the Public Provident Fund deposits.

(4) Contribution by the Government to the Individual Pension Account during foreign service in India or outside India, including deputation to United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, or the Asian Development Bank or the Commonwealth Secretariat or any other International organisation, shall be regulated in accordance with the orders issued by Department of Personnel and Training from time to time and the procedure laid down by the Authority.

(5) The amount of contribution payable shall be rounded off to the next higher rupee.

(6) The provisions regarding time line as applicable in the case of remittance of contribution by the Subscriber would also be applicable for remittance of contribution by the Government. In case there is a delay in crediting of contribution to the Individual Pension Account of the Subscriber beyond the prescribed timeline due to factors not attributable to the Subscriber, the amount shall be credited to the Individual Pension Account of the Subscriber along with interest for the delayed period, as determined in accordance with rule 8.

8. Interest on delayed deposit of contributions. - (1) In case of delay, due to factors not attributable to the Subscriber, in,-

- (i) commencement of monthly contributions on account of delay in registration of the Subscriber in the National Pension System beyond the time limits prescribed in rule 4; or
- (ii) deduction of monthly contribution from the salary of the Subscriber or crediting to his Individual Pension Account beyond the time limit prescribed in rule 6; or
- (iii) crediting of the monthly contributions by the Government to the Individual Pension Account of the Subscriber beyond the time limit prescribed in rule 7,

the amount of contribution may be credited to the Individual Pension Account of the Subscriber along with interest for the delayed period. The interest shall be credited to the Individual Pension Account of the employee within a period of thirty days of the crediting of the amount of contribution. The rate of interest for this purpose would be the rate of interest, as decided by the Government from time to time, for the Public Provident Fund deposits :

Provided that the rate of interest applicable for the period from 1st January, 2004 to 31st December, 2012 shall be as notified by Department of Financial Services in its Notification F. No. 1/3/2016-PR dated 31st January, 2019 and by Department of Expenditure in its Office Memorandum No. 1(21)/EV/2018 dated 12th April, 2019.

(2)(i) Every case of delay in registration of the Subscriber in the National Pension System or commencement of contributions under rule 4 or deduction and crediting of monthly contribution of the Subscriber under rule 6 or crediting of monthly contribution by the Government in the Individual Pension Account of the Subscriber under rule 7 shall be examined by the Head of Department or Chief Controller of Accounts for fixation of responsibility;

(ii) If the Head of Department or Chief Controller of Accounts is satisfied that the delay is caused on account of administrative lapse, the delinquent official or officials shall be liable to pay the amount of pecuniary loss to the Government on account of payment of interest;

(iii) The responsibility and the amount of liability on the part of the delinquent official or officials shall be determined in the same manner as in the case of delayed deduction or remittance of Tax Deduction at Source under Section 201(A) of the Income-tax Act, 1961. This will be without prejudice to any disciplinary action which the disciplinary authority may propose to take against the official or officials responsible for the administrative lapse in this respect.

9. Investment of the Accumulated Pension Corpus. - The Accumulated Pension Corpus in respect of a Subscriber shall be invested by such pension fund or funds and in such manner as may be notified by the Authority.

10. Option to avail benefits on death or invalidation or disability of Subscriber during service. - (1) Every Government servant covered under the National Pension System shall, at the time of joining Government service, exercise an option in Form 1 for availing benefits under the National Pension System or under the Central Civil Service (Pension) Rules, 1972 or the Central Civil Service (Extraordinary Pension) Rules, 1939 in the event of his death or boarding out on account of disablement or retirement on invalidation. Government servants, who are already in Government service and are covered by the National Pension System, shall also exercise such option as soon as possible after the notification of these rules.

(2) The option shall be exercised to the Head of Office who will accept the same after verifying all the facts submitted therein and place it in the service book. A copy of the option shall be forwarded by the Head of Office to the Central Recordkeeping Agency through the Drawing and Disbursing Officer and the Pay and Accounts Officer for their record. The Pay and Accounts Officer shall also make suitable entry in the online system indicating the details regarding the option exercised by the Government servant.

(3) (a)(i) Every Government servant shall, along with the option in Form 1, also submit details of family in Form 2 to the Head of Office;

(ii) If the Government servant has no family, he shall furnish the details in Form 2 as soon as he acquires a family.

(b) The Government servant shall communicate to the Head of Office any subsequent change in the size of his family, including the fact of marriage of his child.

(c) As and when a disability referred to in the proviso to sub-rule (6) of rule 54 of the Central Civil Service (Pension) Rules, 1972 manifests itself in a child which makes him unable to earn his living, the fact shall be brought to the notice of the Head of Office duly supported by a Medical Certificate from a Medical Officer, not below the rank of a Civil Surgeon. This may be indicated in Form 2 by the Head of Office. As and when the claim for family pension arises, the legal guardian of the child may make an application supported by a fresh medical certificate from a Medical Officer, not below the rank of Civil Surgeon, that the child still suffers from the disability.

(d)(i) The Head of Office shall, on receipt of the Form 2, acknowledge receipt of the Form 2 and all further communications received from the Government servant in this behalf, countersign it indicating the date of receipt and get it pasted on the service book of the Government servant concerned;

(ii) The Head of Office on receipt of communication from the Government servant regarding any change in the size of family shall incorporate such a change in Form 2.

(4)(i) The option exercised under sub-rule (1), may be revised at any number of times by the Subscriber before his retirement by making a fresh option intimating his revised option to the Head of Office. On receipt of the revised option, the Head of Office and the Pay and Accounts Officer shall take further action as mentioned in sub-rule (2);

(ii) A Subscriber who is discharged on invalidation or disability shall be given an opportunity to submit a fresh option at the time of such discharge;

(iii) Where such Subscriber does not exercise a fresh option or is not in a position to exercise fresh option at the time of discharge, the option already exercised by the Subscriber shall become operative;

(iv) Where no option was exercised by the Subscriber and the Subscriber is not in a position to exercise an option at the time of discharge, his case will be regulated in accordance with sub-rule (6).

(5) In the case of death of a Subscriber while in service, the last option exercised by the deceased Subscriber before his death shall be treated as final and the family shall have no right to revise the option.

(6)(i) Where a Subscriber who did not exercise an option under sub-rule (1) and dies before completion of service of fifteen years or within three years of the notification of these rules, his family will be granted family pension in accordance with the provisions of the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939 as the case may be, as a default option;

(ii) Where a Subscriber is discharged from Government service on invalidation or disability before completion of service of fifteen years or within three years of the notification of these rules without exercising an option under sub-rule (1), and is also not in a position to exercise an option at the time of discharge, he will be granted invalid pension or disability pension in accordance with the provisions of the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939 as the case may be, as default option;

(iii) In all other cases, where no option was exercised by the Subscriber, the claim of the Subscriber on discharge from the service and that of the family on death of the Subscriber, shall be regulated in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015, as default option.

(7) In cases where the option exercised by the deceased Subscriber in accordance with sub-rule (1) or the default option in accordance with sub-rule (6) for benefit under the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939 becomes infructuous on account of non-availability of an eligible member of the family for grant of family pension under the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939, such option would be deemed to have become invalid and the benefits admissible under the National Pension System shall be granted to the legal heir(s) of the employee in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

11. Retirement on superannuation. - A Subscriber, who is retired on his attaining the age of superannuation or, if the service of the Subscriber has been extended beyond superannuation, on expiry of such period of extension of service beyond the age of superannuation, shall be entitled to benefits as admissible under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 to the Subscriber retiring on superannuation.

12. Retirement on completion of twenty years' regular service. - (1) At any time after a Subscriber has completed twenty years' regular service, he may, by giving notice of not less than three months in writing to the appointing authority, retire from service :

Provided that this rule shall not apply to a Subscriber, including scientist or technical expert, who is, -

- (i) on assignments under the Indian Technical and Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programmes ;
- (ii) posted abroad in foreign based offices of the Ministries or Departments ;
- (iii) 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.

Explanation.- For the purposes of this rule,-

(a) "regular service" shall mean service commencing from the date of joining of a post in the Central Government on a regular basis, whether on direct recruitment or absorption or re-employment basis, and shall include past regular service, in the same or another Central Government Department, a State Government or an autonomous or statutory body, before joining the present service with proper permission, if such past service is allowed to be counted as qualifying service for the purpose of gratuity in accordance with the orders issued by the Government from time to time.

(b) periods spent on all kinds of leave (including study leave and extraordinary leave), deputation or foreign service, duly sanctioned by the competent authority, shall be treated as regular service for the purpose of this rule.

(c) service rendered on casual, ad-hoc or contract basis, before appointment on regular basis, in the same or another Central Government Department, a State Government or an autonomous or statutory body, shall not be treated as regular service for the purpose of this rule.

(2) The 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 permission 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)(a) Subscriber 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) The appointing authority, on receipt of a request under clause (a), subject to sub-rule (2), may consider such request for the curtailment of the period of notice of three months on merits and if he 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.

(4) Subscriber, who has chosen 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 at least fifteen days before the intended date of his retirement.

(5) This rule shall not apply to a Subscriber who, -

(a) retires under the Special Voluntary retirement Scheme of Department of Personnel and Training relating to voluntary retirement of surplus employees as notified by their Office Memorandum No. 25013/6/2001-Estt. (A) dated the 28th February, 2002 as amended from time to time; or

(b) retires from Government service for being absorbed in an autonomous body or a public sector undertaking.

Explanation. - For the purposes 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 Subscriber seeks voluntary retirement.

(6) The Subscriber, on voluntary retirement from service, shall be entitled to benefits admissible under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 to the Subscriber retiring on superannuation.

(7) If the Subscriber intends to continue his Individual Pension Account or to defer payment of benefits under the National Pension System beyond the date of retirement, he shall exercise an option in this regard in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

13. Benefits on retirement under rule 56 of fundamental rules or under the special voluntary retirement scheme.- (1) A Subscriber,-

(i) who retires or is retired, in advance of the age of Compulsory retirement in accordance with rule 56 of the Fundamental Rules, 1922; or

(ii) who, on being declared surplus to the establishment in which he was serving, opts for Special Voluntary Retirement Scheme of Department of Personnel and Training as notified vide Office Memorandum No. 25013/6/2001-Estt. (A) dated the 28th February, 2002 as amended from time to time,

shall be entitled to benefits as admissible under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 to the Subscriber retiring on superannuation :

Provided that a Subscriber who on being declared surplus to the establishment in which he was serving, opts for Special Voluntary Retirement Scheme of Department of Personnel and Training, shall also be entitled to the *ex-gratia* admissible under the Scheme in addition to benefits admissible under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

(2) If the Subscriber intends to continue his Individual Pension Account or to defer payment of benefits under National Pension System beyond the date of retirement, he shall exercise an option in this regard in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

14. Resignation from Government service. - (1) On resignation from a Government service or a post, unless it is allowed to be withdrawn in the public interest by the appointing authority, the lump sum and the annuity out of the Subscriber's accumulated pension corpus shall be paid to him in accordance with the regulations notified by the Authority as admissible in the case of exit of a Subscriber from the National Pension System before superannuation :

Provided that such payment of lump sum withdrawal and annuity shall not be made before the expiry of a period of ninety days from the date on which the resignation becomes effective and the Subscriber is relieved of his duty :

Provided further that if the Subscriber dies before the expiry of a period of ninety days from the date on which the resignation becomes effective, the payment shall be made to the person eligible to receive such payment immediately in accordance with the regulations notified by the Authority as admissible in the case of exit of a Subscriber from the National Pension System before superannuation :

Provided also that such person may, at his option, continue to subscribe to the National Pension System with the same Permanent Retirement Account Number, as a non-Government subscriber in accordance with the regulations notified by the Authority.

(2) Where with proper permission, the resignation has been submitted to take up another appointment, whether temporary or permanent, in the same or any other Department of the Central Government or the State Government and the employees of such Department are covered by the National Pension System, the Subscriber shall continue to subscribe to the National Pension System with the same Permanent Retirement Account Number on the new appointment and shall be deemed to be a member of the National Pension System from the date he joined the Government service on a post to which he was first appointed :

Provided that where the employees of such Department or State Government are not covered by the National Pension System, the Subscriber shall be eligible to receive benefits under National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber on superannuation :

Provided further that where the employees of such Department or State Government are not covered by the National Pension System, such subscriber may, at his option, continue to subscribe to the National Pension System with the same Permanent Retirement Account Number as a non-Government subscriber, in accordance with the regulations notified by the Authority, in this regard.

(3) The appointing authority may permit a person to withdraw his resignation in the public interest on the following conditions, namely: -

- (a) the person concerned was not a temporary Government servant at the time of acceptance of his resignation;
- (b) the resignation was tendered by the Government servant for some compelling reasons which did not involve any reflection on his integrity, efficiency, or conduct and the request for withdrawal of the resignation has been made as a result of a material change in the circumstances which originally compelled him to tender the resignation;
- (c) during the period intervening between the date on which the resignation became effective and the date from which the request for withdrawal was made, the conduct of the person concerned was in no way improper;
- (d) the period of absence from duty between the date on which the resignation became effective and the date of which the person is allowed to resume duty as a result of permission to withdraw the resignation is not more than ninety days;
- (e) the post, which was vacated by the Government servant on the acceptance of his resignation or any other comparable post, is available.

(4) Request for withdrawal of a resignation shall not be accepted by the appointing authority where a Government servant resigns from service or post with a view to taking up an appointment in or under a private commercial company or a Corporation or Company wholly or substantially owned or controlled by the Government or a Body controlled or financed by the Government.

(5) When an order is passed by the appointing authority allowing a person to withdraw his resignation and to resume duty, the order shall be deemed to include the condonation of interruption in service.

15. Benefit on absorption in or under a corporation, company or body. - (1) A Subscriber who has been permitted to be absorbed in a service or post in or under a Corporation or Company wholly or substantially owned or controlled by the Central Government or a State Government or in or under a Body controlled or financed by the Central Government or a State Government, shall be deemed to have retired from service from the date of such absorption and shall be eligible to receive benefits under the National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber on superannuation:

Provided that the Subscriber shall continue to subscribe to the National Pension System with the same Permanent Retirement Account Number in the new organisation if the same system exists in the new organisation and in that case he shall not receive any benefit under the National Pension System at the time of such absorption but shall receive benefits after exit from the new body or organisation, etc. where Subscriber has been absorbed :

Provided further that where the employees of such autonomous or statutory body or public sector undertaking are not covered by the National Pension System, such subscriber may, at his option, continue to subscribe to the National

Pension System with the same Permanent Retirement Account Number as a non-Government subscriber, in accordance with the regulations notified by the Authority.

(2) The provisions under sub-rule (1) shall also apply to the Subscribers who, on conversion of the Government Department in which they were working, into a public sector undertaking or autonomous body controlled or financed by the Central Government, are absorbed in such public sector undertaking or autonomous body.

(3) The provisions under sub-rule (1) shall also apply to the Subscribers who are permitted to be absorbed in joint sector undertakings, wholly under the joint control of Central Government and State Governments or Union territory Administrations or under the joint control of two or more State Governments or Union territory Administrations.

Explanation (1). - Date of absorption shall be, in case, a Subscriber, -

(i) joins a corporation or company or body on immediate absorption basis, the date on which he actually joins that corporation or company or body;

(ii) initially joins a corporation or company or body on foreign service terms, the date from which his unqualified resignation is accepted by the Government; and

(iii) joins a corporation or company or body on conversion of a Government department into a public sector undertaking or autonomous body, the date from which his option to be absorbed in that corporation or company or body is accepted by the Government.

Explanation (2). - For the purposes of this rule, body means autonomous body or statutory body.

16. Entitlement on retirement on invalidation. - (1) The case of a Subscriber acquiring a disability, where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, shall be governed by the provisions of the said section:

Provided that such Subscriber shall produce a disability certificate from the competent authority as prescribed under the Rights of Persons with Disabilities Rules, 2017.

(2) If a Subscriber, in a case where the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are not applicable, intends to retire from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service, he may apply to the Head of Department for benefits on retirement on invalidation :

Provided that an application for benefits on retirement on invalidation submitted by the spouse of the Subscriber failing which by a member of the family of the Subscriber may also be accepted, if the Head of Department is satisfied that the Subscriber himself is not in a position to submit such application on account of the bodily or mental infirmity :

Provided further that where a Subscriber, who has acquired a disability and in whose case the provisions of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are applicable, intends to retire under this rule, the Subscriber shall be advised that he has the option of continuing in service with the same pay matrix and service benefits which he is otherwise entitled to. In case, the Subscriber does not withdraw his request for retirement under this rule, his request may be processed in accordance with the provisions of this rule.

(3) The Head of Office or the Head of Department shall, on receipt of an application under sub-rule (2), within fifteen days of the receipt of such application, request the concerned authority for examination of the Subscriber within thirty days of receipt of such request, by the following medical authority, -

(a) a Medical Board in the case of a Gazetted Government servant and of a non-Gazetted Government servant whose pay, as defined in sub-rule (21) of rule 9 of the Fundamental Rules, exceeds fifty- four thousand rupees per mensem ;

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

The medical authority shall also be supplied by the Head of the Office or Department in which the Subscriber is employed with a statement of what appears from official records to be the age of the Subscriber, and if a service book is being maintained for the Subscriber, the age recorded therein should be reported. A copy of the letter requesting for examination by the medical authority shall be endorsed to the Subscriber.

(4) The Subscriber shall appear before the concerned medical authority for medical examination on the date fixed by that authority. The medical authority shall examine the Subscriber to ascertain whether or not the Subscriber is fit for further service or whether he is fit for further service of less laborious character than that which he had been doing.

(5) No medical certificate of incapacity for service may be granted unless the medical authority has received a request from the Head of his Office or Head of Department for medical examination of the Subscriber.

(6) A lady doctor shall be included as a member of the Medical Board when a woman candidate is to be examined.

(7) Where the medical authority referred to in sub-rule (3), has found a Subscriber mentioned in sub-rule (2) not fit for further service or has found him fit for further service of less laborious character than that which he had been doing, it shall issue a Medical Certificate in Form 3. If the Subscriber is found to be unfit for further service, he may be granted benefits on retirement on invalidation.

(8) If the Subscriber, has been found to be fit for further service of less laborious character than that which he had been doing, he shall, provided he is willing 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 granted benefits on retirement on invalidation.

(9) Where a Subscriber, who had exercised option or in whose case the default option under rule 10 is for availing benefits under the Central Civil Service (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939, and in whose case the provision of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are not applicable, retires on account of any bodily or mental infirmity which permanently incapacitates him for the service, further action will be taken by the Head of Office for disbursement of benefits in accordance with the Central Civil Services (Pension) Rules, 1972.

(10) If the Subscriber, avails the benefits under the Central Civil Services (Pension) Rules, 1972 in accordance with sub-rule (9), the individual pension account of the Subscriber shall be closed and the Government contribution and returns thereon in the accumulated pension corpus of the Subscriber shall be transferred to Government account. The remaining accumulated pension corpus shall be paid to the Subscriber in lump sum.

(11) Where a Subscriber, who had exercised option or in whose case the default option under rule 10 of these rules is for availing benefits under the National Pension System and in whose case the provision of section 20 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) are not applicable, retires from the service on account of any bodily or mental infirmity which permanently incapacitates him for the service, he may be granted benefits in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of a Subscriber on superannuation.

(12) If a Subscriber, who has become eligible to avail the benefits under the National Pension System in accordance with sub-rule (11), intends to continue his Individual Pension Account or to defer payment of benefits under the National Pension System beyond the date of retirement, he shall exercise an option in this regard in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

17. Entitlement on boarding out from service on account of disablement. - (1) Where a Subscriber, who had exercised option or in whose case the default option under rule 10 is for availing benefits under the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939, is boarded out on account of disablement attributable to Government service, further action will be taken by the Head of Office for disbursement of benefits in accordance with the Central Civil Services (Extraordinary Pension) Rules, 1939.

(2) If the Subscriber avails the benefits under the Central Civil Services (Extraordinary Pension) Rules, 1939 in accordance with sub-rule (1), the individual pension account of the Subscriber shall be closed and the Government contribution and returns thereon in the accumulated pension corpus of the Subscriber shall be transferred to Government account. The remaining accumulated pension corpus shall be paid to the Subscriber in lump sum.

(3) Where a Subscriber, who had exercised option or in whose case the default option under rule 10 of these rules is for availing benefits under the National Pension System, is boarded out on account of disablement attributable to Government service, he may be granted benefits in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of a Subscriber on superannuation.

(4) If a Subscriber, who has become eligible to avail the benefits under the National Pension System in accordance with sub-rule (3) intends to continue his Individual Pension Account or to defer payment of benefits under the National Pension System beyond the date of retirement, he shall exercise an option in this regard in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

18. Effect of compulsory retirement or dismissal or removal from Government service. - (1) Where a Subscriber, is compulsorily retired from service as a penalty or is dismissed or removed from Government service, the lump sum and the annuity out of his accumulated pension corpus shall be paid to him in accordance with the regulations notified by the Authority payable to the Subscriber as admissible in the case of exit of a Subscriber from the National Pension System before superannuation :

Provided that the Subscriber, at his option, may continue to subscribe to the National Pension System with the same Permanent Retirement Account Number as a non-Government subscriber, in accordance with the regulations notified by the Authority.

(2) Sub-rule (1) shall be without prejudice to any action being taken in such cases in respect of gratuity and other retirement benefits not covered by these rules and those benefits shall be regulated in accordance with the rules as applicable to such benefits.

19. Effect of departmental or judicial proceedings pending on retirement.- (1) Departmental or judicial proceedings, which were instituted while the Subscriber was in service but are not concluded before retirement or the judicial proceedings instituted after retirement of the Subscriber, shall not affect the benefits payable to the Subscriber out of his accumulated pension corpus and the lump sum and the annuity out of his accumulated pension corpus shall be paid to him in accordance with the regulations notified by the Authority as admissible in the case of exit of a Subscriber from the National Pension System on superannuation.

(2) The provision under sub-rule (1) shall be without prejudice to any action being taken in such cases in respect of gratuity and other retirement benefits not covered by these rules and those benefits shall be regulated in accordance with the rules as applicable to such benefits.

20. Entitlement for family on death of a Subscriber. - (1) On death of, -

(a) a Subscriber, who had exercised option or in whose case the default option under rule 10 is for availing benefits under the Central Civil Services (Pension) Rules, 1972 or Central Civil Services (Extraordinary Pension) Rules, 1939; or

(b) a retired Subscriber, who was in receipt of an Invalid Pension under the Central Civil Services (Pension) Rules, 1972 in terms of rule 16 or a disability pension under the Central Civil Services (Extraordinary Pension) Rules, 1939 in terms of rule 17.

further action will be taken by the Head of Office for disbursement of benefits in accordance with the Central Civil Services (Pension) Rules, 1972 :

Provided that if the death is attributable to Government service, further action will be taken by the Head of Office for disbursement of benefits in accordance with the Central Civil Services (Extraordinary Pension) Rules, 1939 subject to fulfillment of all the conditions for grant of benefits under those rules.

(2) If on death of the Subscriber, benefits are payable to the family under the Central Civil Services (Extraordinary Pension) Rules, 1939 or the Central Civil Services (Pension) Rules, 1972 in accordance with sub-rule (1), the Government contribution and returns thereon in the accumulated pension corpus of the Subscriber shall be transferred to Government account. The remaining accumulated pension corpus shall be paid in lump sum to the person(s) in whose favour a nomination has been made under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015. If there is no such nomination or if the nomination made does not subsist, the amount of remaining accumulated pension corpus shall be paid to the legal heir(s).

(3) In the case of death of a Subscriber who had exercised option or in whose case the default option under rule 10 is for availing benefits under the National Pension System, such benefits may be granted in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

21. Preparation of list of Subscriber due for retirement. - (1) Every Head of Department shall have a list prepared every three months, that is, on the 1st January, 1st April, 1st July and 1st October each year of all Subscribers who are due to retire within the next twelve to fifteen months from that date.

(2) A copy of every such list, as specified in sub-rule (1), shall be supplied to the Pay and Accounts Officer concerned not later than the 31st January, 30th April, 31st July or the 31st October, as the case may be, of that year.

(3) In the case of a Subscriber retiring for reasons other than by way of superannuation, the Head of Office shall promptly inform the Drawing and Disbursing Officer and the Pay and Accounts Officer concerned, as soon as the fact of such retirement becomes known to him.

(4) A copy of intimation sent by the Head of Office to the Pay and Accounts Officer under sub-rule (3) shall also be endorsed to the Directorate of Estates, if the Subscriber concerned is an allottee of Government accommodation.

22. Intimation to the Directorate of Estates regarding issue of "no demand certificate".- (1) The Head of Office shall write to the Directorate of Estates at least one year before the anticipated date of retirement of the Subscriber who was or is in occupation of a Government accommodation (hereinafter referred to as allottee) for issuing a 'No demand certificate' in respect of the period preceding eight months of the retirement of the allottee.

(2) On receipt of the intimation under sub-rule (1), the Directorate of Estates shall take further action as required.

23. Submission of claim for benefits under the National Pension System on superannuation. - (1) A Subscriber shall have the option for submission of claim for benefit under the National Pension System through a mode, as specified by the Authority from time to time.

(2) Every Subscriber shall, six months before the date on which he is due to retire on superannuation, or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier, submit to the Head of Office, duly filled withdrawal Form prescribed by the Authority along with the documents mentioned in the withdrawal form. In other cases of retirement or exit from the National Pension System, the Subscriber shall submit to the Head of Office, duly filled withdrawal Form prescribed by the Authority along with the documents mentioned in the withdrawal Form immediately after issue of orders of the competent authority for such retirement or exit. Where the Subscriber has submitted the claim through online mode, he shall submit a *signed* copy of the print-out of the said withdrawal Form along with the documents mentioned in the withdrawal Form.

(3) The National Pension System shall generate claim IDs and inform nodal officers, i.e. the Pay and Accounts Officers or the Cheque Drawing and Disbursing Officers six months before the date of retirement for those Subscribers who shall retire on superannuation in the next six months.

24. Completion and forwarding of papers for benefits under National Pension System. - (1) The Head of office shall complete the papers on his part and forward the same to the Pay and Accounts Officer through the Drawing and Disbursing Officer with a covering letter in the Form mentioned below, namely : -

Mode of retirement or exit.	Form of covering letter.
Superannuation or Voluntary Retirement or Premature retirement under rule 56(j) of Fundamental Rules or Special Voluntary Retirement Scheme of Department of Personnel and Training.	Form 4-A.
Technical Resignation or Absorption in an autonomous body or Public Sector Undertaking.	Form 4-B.
Resignation or Compulsory Retirement as a measure of penalty or Dismissal or Removal from service.	Form 4-C.
Retirement on Invalidation or Disablement.	Form 4-D.
Death during service.	Form 4-E.

(2) In the case of a Subscriber retiring on superannuation, the Head of Office shall forward the complete papers to the Pay and Accounts Officer through the Drawing and Disbursing Officer not later than four months before the date of retirement of the Subscriber and in other cases, not later than one month after the date of retirement or exit of the Subscriber. The Head of Office shall retain a copy of each of the forms and documents referred to in sub-rule (1) for his record.

(3) After processing the withdrawal request in the online system of Central Recordkeeping Agency in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015, the Pay and Accounts Officer shall forward the documents referred to in sub-rule (1) and sub-rule (2) to the Central Recordkeeping Agency not later than one month before the date of retirement of Subscriber.

(4) In case the Subscriber intends to continue his Individual Pension Account or to defer payment of benefits under the National Pension System beyond the date of superannuation or exit, he shall exercise an option in this regard and send it to the Pay and Accounts Officer through the Drawing and Disbursing Officer not later than fifteen days before the date of superannuation. Such option shall be processed by the Pay and Accounts Officer in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

25. Subscribers on deputation. - (1) In the case of Subscriber who retires while on deputation to another Central Government Department, action to authorise benefits in accordance with the provisions of this rule shall be taken by the Head of Office of the borrowing Department.

(2) In the case of a Subscriber who retires from service, while on deputation to a State Government or while on foreign service, action to authorise benefits in accordance with the provisions of this rule shall be taken by the Head of Office or the Cadre authority which sanctioned deputation to the State Government or to foreign service.

26. Date of retirement to be notified. - When a Subscriber retires from service, -

- (a) a notification in the Official Gazette in the case of a Gazetted Subscriber; and
- (b) an office order in the case of a non-Gazetted Subscriber,

shall be issued specifying the date of retirement within a week of such date and a copy of every such notification or office order, as the case may be, shall be forwarded immediately to the Pay and Accounts Officer.

27. Interpretation. - Where any doubt arises as to the interpretation of these rules, it shall be referred to the Government in the Ministry of Personnel, Public Grievances and Pensions for decision.

28. Power to relax. - Where any Ministry or Department of the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, the Ministry or Department, as the case may be, may, by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as it may consider necessary for dealing with the case in a just and equitable manner :

Provided that no such order shall be made except with the concurrence of the Ministry of Personnel, Public Grievances and Pensions.

29. Power of Central Government to provide for residual matters. - (1) Any related issues not specifically covered in these rules, shall be decided in terms of the relevant provisions in this regard contained in the Central Civil Services (Pension) Rules, Fundamental Rules, Supplementary Rules or any general or special order issued by the Government provided it is not repugnant to or inconsistent with the provisions of these rules.

(2) The Central Government may issue orders or instructions to regulate any matter for which there is no provision in the rules made or deemed to have been made under these rules and, until such rules are made, such matters shall be regulated as per orders or instructions issued from time to time.

30. Repeal and saving. - On the commencement of these rules, every order, instruction or Office Memorandum in force immediately before such commencement shall, in so far as it provides for any of the matters contained in these rules, cease to operate. Anything done or any action taken under those order, instruction or Office Memorandum shall be deemed to have been taken under the corresponding provisions of these rules.

Form 1

OPTION TO AVAIL BENEFITS IN CASE OF DEATH OR DISCHARGE ON INVALIDATION OR DISABILITY OF GOVERNMENT SERVANT / SUBSCRIBER DURING SERVICE

[See rule 10]

* I, hereby exercise option that in the event of my discharge from service on the account of disability or retirement from service on account of invalidation or Death during service, benefits under CCS(Pension) Rules, 1972 or CCS(Extraordinary Pension) Rules, 1939 as the case may be, may be paid to me or my family.

OR

* I, hereby exercise option that in the event of my discharge from service on the account of disability or retirement from service on account of invalidation or Death during service, benefits may be paid to me or my family, as the case may be, based on the accumulated pension corpus in the Individual Pension Account under the National Pension System in accordance with the CCS(Implementation of National Pension System) Rules, 2021.

Signature of Government servant / Subscriber

Name-----

Designation-----

Office in which employed-----

Telephone No.-----

Place and date:

This option supersedes any other option made by me earlier.

* Completely strike out the benefits for which option is not intended to be made.

(To be filled in by the Head of Office or authorised Gazetted Officer)

Received the option dated, under CCS (Implementation of National Pension System) Rules, 2021

made by Shri/Smt./Kumari....., Designation.....

Office.....

Entry of receipt of option has been made in page Volume..... of Service Book.

Signature,

Name and Designation of Head of Office or authorized Gazetted Officer with seal

Date of receipt.....

The receiving Officer will fill the above information and return a duly signed copy of the complete Form to the Government servant who should keep it in safe custody so that it may come into the possession of the beneficiaries in the event of his/her death/ invalidation.

FORM 2**Details of Family**

[See rule 10(3)]

Important

1. The original Form submitted by the Government servant / Subscriber is to be retained. All additions or alterations are to be communicated by the Government servant/retired Government servant / Subscriber alongwith the supporting documents and the changes shall be recorded in this Form under the signature of Head of Office in Col 7. No new Form will substitute the original Form. However, the retiring Subscriber should submit the details of family afresh at the time of retirement.
2. The details of spouse, all children and parents (whether eligible for family pension or not) and disabled siblings (brothers and sisters) may be given.
3. The Head of Office shall indicate the date of receipt of communication regarding addition or alteration in the family in the 'Remarks' column. The fact regarding disability or change of marital status of a family member should also be indicated in the 'Remarks' column.
4. Wife and husband shall include judicially separated wife and husband.
5. The retired Government servant shall attach the details of change in family structure after retirement in the proforma prescribed under Dept. of P. & P.W., O.M No. 1 (23)-P.&P. W/91-E, dated the 4th November, 1992.
6. Copies of birth certificates to be attached. Copies of any other relevant certificates, if available, should be attached.

Name of the Government servant / Subscriber		Designation		Nationality	
---	--	-------------	--	-------------	--

Details of family members:

S.N.	Name (Please see notes below before filling)	Date of birth (DD/MM/YYYY)	Aadhaar no.* (optional)	Relationship with Govt. servant/retired Government servant / Subscriber	Marital status	Remarks	Dated signature of Head of Office
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.							

2.							
3.							
4.							
5.							
6.							
7.							
8.							

I hereby undertake to keep the above particulars up to date by notifying to the Head of Office any addition or alteration.

E-mail:(Optional) Place:

Mobile:(Optional) Date (Signature)

**Providing Aadhaar No. is optional. However, if it is provided, consent to link it to Bank Account and also for authentication of identity from UIDAI for pension related purpose only, is presumed.*

FORM 03

(See rule 16)

Form of Medical Certificate

Certified that I/(We) have carefully examined(name of the Government servant / Subscriber)
son of, a(Designation) in the
I/(We) considerto be completely and permanently incapacitated for further service of any kind in the
Department to which he belongs to consequence of(here state disease or cause).

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made.)

" I am / we are of opinion that is fit for further service of a less laborious character than that which he had been doing/may, after resting for months, be fit for further service of less laborious character than that which he had been doing."

Place.....

Dated the

Medical Authority

FORM 4- A

[See rule 24]

[Form of letter to the Accounts Officer forwarding the withdrawal papers of a Subscriber under the National Pension System on superannuation or voluntary retirement or Premature retirement or Special Voluntary retirement]

No

Government of India

Ministry / Department/Office of

Dated the

To,

The Pay and Accounts Officer/Accountant-General

(Through - the Drawing and Disbursing Officer).

Sub: Processing of claim for benefits under the National Pension System on retirement on superannuation or voluntary retirement or Premature retirement or Special Voluntary retirement- case of Shri/Smt./Km..... (PRAN

Sir,

I am directed to say that:

* Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry/ Department/office is due for retirement on superannuation on

OR

* A notice for voluntary retirement of Shri /Smt. /Km..... (name and designation), PRAN..... of this Ministry or Department or office with effect fromunder rule 12 of the Central Civil Services (Implementation of National Pension System) Rules, 2021 or rule 56 (k) of the Fundamental Rules or Special Voluntary Retirement Scheme of Department of Personnel and Training has been accepted by the competent authority. A copy of the order issued in this regard is enclosed.

OR

* An order for retirement of Shri /Smt. /Km..... (name and designation), PRAN..... of this Ministry or Department or office under rule 56 (j) of the Fundamental Rules with effect fromhas been issued by the competent authority. A copy of the order issued in this regard is enclosed.

2. The following documents (in physical form or print-out of forms submitted online) prescribed by the Pension Fund Regulatory and Development Authority for release of terminal benefits under the National Pension System are enclosed:

- 1.
- 2.
- 3.
- 4.

3. On retirement from service, in accordance with rule 11/rule 12/rule 13, Shriis entitled to benefits under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension

System) Regulations, 2015 as admissible to the Subscribers retiring on superannuation. It is requested that the case of the Government servant / Subscriber for release of terminal benefits under the National Pension System may be processed accordingly.

Yours faithfully,

Head of Office

* Strike out if not applicable.

FORM 4-B

[See rule 24]

[Form of letter to the Accounts Officer forwarding the withdrawal papers of a Subscriber under the National Pension System on absorption in an autonomous body or Public Sector Undertaking]

No

Government of India

Ministry / Department/Office of

Dated the

To

The Pay and Accounts Officer/Accountant-General

(Through - the Drawing and Disbursing Officer).

Sub: Processing of claim for benefits under the National Pension System on absorption in an autonomous body or Public Sector Undertaking or resigned on technical ground - case of Shri /Smt. /Km..... (PRAN

Sir,

I am directed to say that Shri/Smt./Km.....(name and designation), PRAN....., of this Ministry or Department or office is deemed to have retired from Government service w.e.f. on absorption in, an autonomous body or Public sector undertaking or resigned on technical ground. A copy of order of his relieving from this Ministry or Department or office is enclosed.

2* Since the scheme of the National Pension System exists in the new organisation, the Subscriber shall continue to subscribe to the National Pension System with the same Permanent Retirement Account Number in the new organisation. He shall not receive any benefit under the National Pension System at the time of such absorption but shall receive benefits after exit from the new body or organisation, etc. where Subscriber has been absorbed.

OR

* Since the scheme of the National Pension System does not exist in the new organisation, in accordance with rule 15 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, he or she shall be eligible to receive benefits under National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber on superannuation. The following documents (in physical form or print-out of forms submitted online) prescribed by the Pension Fund Regulatory and Development Authority for release of terminal benefits under the National Pension System are enclosed:

- 1.
- 2.
- 3.
- 4.

3. It is requested that the case of the Subscriber may be processed for transfer of the NPS Account toor release of terminal benefits under the National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber on superannuation.

Yours faithfully,

Head of Office

* Strike out if not applicable.

FORM 4- C

[See rule 24]

[Form of letter to the Accounts Officer forwarding the withdrawal papers of a Subscriber under the National Pension System on resignation or compulsory retirement as a measure of penalty or dismissal or removal from service]

No

Government of India

Ministry / Department/Office of

Dated the

To,

The Pay and Accounts Officer/Accountant-General

(Through - the Drawing and Disbursing Officer).

Sub: Processing of claim for benefits under the National Pension System on resignation or compulsory retirement as a measure of penalty or dismissal or removal from service of Shri /Smt. /Km.....PRAN

Sir,

I am directed to say that:

* A penalty of compulsory retirement has been imposed on Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry or Department or office vide Order No.dated (Copy enclosed). Accordingly, Shri/Smt./Km.....stands compulsorily retired from Government service with effect from

OR

* A penalty of dismissal or removal from service has been imposed on Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry or Department or office vide Order No.dated(Copy enclosed). Accordingly, Shri/Smt./Km.....stands dismissed/ removed from Government service with effect from

OR

* Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry or Department or office has resigned from Government service with effect from A copy of the Order No.dated for acceptance of resignation is enclosed.

2. In terms of rule 17 or rule 14 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, the Subscriber is eligible for benefits under the National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber before superannuation.

3. The following claim papers (in physical form or print-out of forms submitted online) prescribed by the Pension Fund Regulatory and Development Authority for release of terminal benefits under the National Pension System are enclosed:

- 1.
- 2.
- 3.
- 4.

4. It is requested that the case of the Subscriber for release of terminal benefits under the National Pension System may be processed in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber before superannuation.

Yours faithfully,

Head of Office

* Strike out if not applicable.

FORM 4-D

[See rule 24]

[Form of letter to the Accounts Officer forwarding the withdrawal papers of a Subscriber under the National Pension System on retirement on invalidation or disablement]

No

Government of India

Ministry /Department/Office of

Dated the

To

The Pay and Accounts Officer/Accountant-General

(Through - the Drawing and Disbursing Officer).

Sub: Processing of claim for benefits under the National Pension System on retirement on invalidation or disablement of Shri /Smt. /Km..... (PRAN

Sir,

* I am directed to say that Shri/Smt./Km.....(name and designation), PRAN of this Ministry or Department or office retired on invalidation (not attributable to Government service) or disablement (attributable to Government service) on As per the option exercised by Shri/Smt./Km...../ default option under rule 10 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, the Subscriber is eligible for benefits under the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939. A copy of the option exercised by the Government servant in Form -I is enclosed. Further action for disbursement of benefits in accordance with the Central Civil Services (Pension) Rules, 1972 or Central Civil Services (Extraordinary Pension) Rules, 1939 is being taken accordingly. In accordance with rule 16 or rule 17 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, the Government contribution and returns thereon in the accumulated pension corpus of the Subscriber shall be transferred to Government account. The remaining accumulated pension corpus shall be paid in lump sum to the Subscriber.

OR

* I am directed to say that Shri/Smt./Km.....(name and designation), PRAN of this Ministry or Department or office retired on invalidation (not attributable to Government service) or disablement (attributable to Government service) on As per the option exercised by Shri/Smt./Km...../ default option under Rule 10 of the Central Civil Services (Implementation of National Pension System) Rules, 2021 and in accordance with rule 16 or rule 17, the Subscriber is eligible for benefits under the National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015 as admissible in the case of exit of Subscriber on superannuation. A copy of the option exercised by Shri/Smt./Km.....in Form -I is enclosed. The following documents (in physical form or print-out of forms submitted online) prescribed by the Pension Fund Regulatory and Development Authority for release of terminal benefits under the National Pension System, as submitted by the Shri/Smt./Km..... are also enclosed:

- 1.
- 2.
- 3.
- 4.

2. It is requested that the case of Shri/Smt./Km.....for release of terminal benefits under the National Pension System may be processed in accordance with the option exercised by him or her and the provisions of the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

Yours faithfully,

Head of Office

* Strike out if not applicable.

FORM 4-E

[See rule 24]

[Form of letter to the Accounts Officer forwarding the withdrawal papers of a Subscriber under the National Pension System on death in service]

No

Government of India

Ministry / Department/Office of

Dated the

To,

The Pay and Accounts Officer/Accountant-General

(Through - the Drawing and Disbursing Officer).

Sub: Processing of claim for benefits under the National Pension System on death in service- case of Shri /Smt. /Km..... (PRAN

Sir,

* I am directed to say that Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry or Department or office died on The death of Shri/Smt./Km..... is not attributable to Government service or attributable to Government service. As per the option exercised by Shri/Smt./Km....., default option under rule 10 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, his family is eligible for benefits under the Central Civil Services (Pension) Rules, 1972 or the Central Civil Services (Extraordinary Pension) Rules, 1939. Further action for disbursement of benefits to the family in accordance with the Central Civil Services (Pension) Rules, 1972 or Central Civil Services (Extraordinary Pension) Rules, 1939 is being taken accordingly. In accordance with rule 20 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, the Government contribution and returns thereon in the accumulated pension corpus of the Subscriber shall be transferred to Government account. The remaining accumulated pension corpus shall be paid in lump sum to the person(s) in whose favour a nomination has been made under the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015. If there is no such nomination or if the nomination made does not subsist, the amount of remaining accumulated pension corpus shall be paid to the legal heir(s). A copy of the option exercised by the Government servant / Subscriber in Form -1 is enclosed.

OR

* I am directed to say that Shri/Smt./Km.....(name and designation), PRAN..... of this Ministry or Department or office died on As per the option exercised by Shri/Smt./Km....., default option under rule 10 and in terms of rule 20 of the Central Civil Services (Implementation of National Pension System) Rules, 2021, his family is eligible for benefits under the National Pension System in accordance with the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015. A copy of the option exercised by the Subscriber in Form -1 is enclosed. The following documents (in physical form or print-out of forms submitted online) specified by the Pension Fund Regulatory and Development Authority for release of terminal benefits under the National Pension System, as submitted by the eligible member of the family are enclosed:

- 1.
- 2.
- 3.
- 4.

2. It is requested that the case of the Subscriber for release of terminal benefits under the National Pension System may be processed in accordance with the option exercised by him or her and the provisions of the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under National Pension System) Regulations, 2015.

Yours faithfully,

Head of Office

* Strike out if not applicable.

[F. No. 57/02/2018-P&PW(B)]
SANJIV NARAIN MATHUR, Jt. Secy.


भारत का राजपत्र
The Gazette of India

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पेंशन निधि विनियामक और विकास प्राधिकरण

अधिसूचना

पेंशन निधि विनियामक और विकास प्राधिकरण

(राष्ट्रीय पेंशन प्रणाली के अंतर्गत निकास और प्रत्याहरण) विनियम, 2015

नई दिल्ली, 11 मई, 2015

सं. पीएफआरडीए/12/आरजीएल/139/8.—पेंशन निधि विनियामक और विकास प्राधिकरण, पेंशन निधि विनियामक और विकास प्राधिकरण अधिनियम, 2013 (2013 का 23) की धारा 52 की उपधारा (2) के खंड (छ), खंड (ज) और खंड (झ) के साथ पठित उसकी उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित विनियम बनाता है, अर्थात्:—

अध्याय 1

प्रारंभिक

1. **संक्षिप्त नाम और प्रारंभ.**—(1) इन विनियमों का संक्षिप्त नाम पेंशन निधि विनियामक और विकास प्राधिकरण (राष्ट्रीय पेंशन प्रणाली के अंतर्गत निकास और प्रत्याहरण) विनियम, 2015 है।

“इन विनियमों का उद्देश्य राष्ट्रीय पेंशन प्रणाली से निकास और प्रत्याहरण के समय अभिदाताओं के हित में एक प्रभावी तंत्र जिसमें व्यक्तिगत पेंशन खाता से प्रत्याहरण के लिए निबंधनों, उद्देश्य, आवृत्ति और सीमाएं शामिल हैं साथ ही वे शर्तें भी जिनके आधार पर अभिदाता राष्ट्रीय पेंशन प्रणाली से निकास और उसके पश्चात् वार्षिकी का क्रय करेगा, उपलब्ध कराना है।”

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. **परिभाषाएं**—(1) इन विनियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,-

- (क) "अधिनियम" से पेंशन निधि विनियामक और विकास प्राधिकरण अधिनियम, 2013 (2013 का 23) अभिप्रेत है ;
- (ख) "संचित पेंशन धन " से राष्ट्रीय पेंशन प्रणाली के अधीन किसी अभिदाता के स्थायी सेवानिवृत्त खाते में संचित पेंशन विनिधानों का मुद्रामूल्य अभिप्रेत है ;
- (ग) "संकलनकर्ता" से राष्ट्रीय पेंशन प्रणाली स्वावलंबन के अधीन अभिदाता के अंतराणीक कृत्यों को करने के लिए अधिनियम की धारा 27 की उपधारा (3) के अधीन प्राधिकरण द्वारा रजिस्ट्रीकृत ऐसा मध्यवर्ती अभिप्रेत है जिसका कुछ सामाजिक-आर्थिक माल या सेवाओं के लिए जात ग्राहक आधार के साथ कृत्यकारी संबंध होगा ;
- (घ) "वार्षिकी सेवा प्रदाता" से बीमा विनियामक और विकास प्राधिकरण द्वारा रजिस्ट्रीकृत और विनियमित कोई जीवन बीमा कंपनी अभिप्रेत है और जो राष्ट्रीय पेंशन प्रणाली के अभिदाताओं को वार्षिक सेवाएं उपलब्ध करवाने के लिए प्राधिकरण द्वारा सूची में सम्मिलित है ;
- (ङ) "भारत का नागरिक" से ऐसा कोई व्यक्ति अभिप्रेत है जो नागरिकता अधिनियम, 1955 (1955 का 57) के अधीन भारत का नागरिक होने के लिए अर्हित है ;
- (च) "अनुपालन अधिकारी" से राष्ट्रीय पेंशन प्रणाली न्यास से कोई जिम्मेदार व्यक्ति या कोई अन्य मध्यवर्ती या अस्तित्व अभिप्रेत है जिसे राष्ट्रीय पेंशन प्रणाली के अधीन अभिदाताओं से प्रत्याहरण दावों को प्राप्त करने, प्रक्रमण और परिनिर्धारण की जिम्मेदारी सौंपी गई है और जिसे अधिनियम या प्राधिकरण द्वारा बनाए गए नियमों या विनियमों या समय-समय पर जारी अधिसूचनाओं, मार्गदर्शक सिद्धांतों या अनुदेशों के अनुपालन को किए जाने को मानीटर करने के उत्तरदायित्व का भार सौंपा गया है ;
- (छ) "सरकारी सेक्टर का अभिदाता" से राष्ट्रीय पेंशन प्रणाली में केंद्रीय सरकार या राज्य सरकारों के नोडल कार्यालयों के माध्यम से दर्ज और केंद्रीय अभिलेखापाल अभिकरण द्वारा उस रूप में रजिस्ट्रीकृत कोई अभिदाता अभिप्रेत है ;
- (ज) "राष्ट्रीय पेंशन प्रणाली-लाइट" से राष्ट्रीय पेंशन प्रणाली के अधीन ऐसी स्कीम अभिप्रेत है जिसमें असंगठित सेक्टर से, जिसकी राष्ट्रीय पेंशन प्रणाली-स्वावलंबन एक ऐसा संघटक है, जिसमें भारत सरकार का अभिदाय अनुज्ञेय है, संबंधित व्यक्तियों के लिए राष्ट्रीय पेंशन प्रणाली के आशावान समूह माडल की एक विशेषता का उपबंध है ;
- (झ) "स्थायी सेवानिवृत्त खाता संख्यांक (पीआरएएन)" से केंद्रीय अभिलेखापाल अभिकरण द्वारा प्रत्येक अभिदाता को आबंटित विशिष्ट पहचान संख्या अभिप्रेत है ;
- (ञ) "स्वावलंबन अभिदाता" से ऐसा अभिदाता अभिप्रेत है जिसे राष्ट्रीय पेंशन प्रणाली के अधीन केंद्रीय अभिलेखापाल अभिकरण द्वारा उस रूप में रजिस्ट्रीकृत किया गया है और जहां भारत सरकार का सह अभिदाय अनुज्ञेय है।
- (2) इन विनियमों में प्रयुक्त और परिभाषित न किए गए किन्तु अधिनियम में परिभाषित शब्दों और पदों का वही अर्थ होगा जो क्रमशः अधिनियम में उनका है।

अध्याय 2

राष्ट्रीय पेंशन प्रणाली से निकास

राष्ट्रीय पेंशन प्रणाली से निकास के प्रयोजनों के लिए अभिदाताओं को (1) सरकारी सेक्टर, (2) सर्वनागरिक सहित कारपोरेट सेक्टर और (3) राष्ट्रीय पेंशन प्रणाली - लाइट और स्वावलंबन अभिदाताओं के रूप में प्रवर्गीकृत और परिभाषित किया गया है। तदनुसार इसके अधीन विनिर्दिष्ट निकास संबंधी विनियम उस प्रवर्ग को लागू होंगे जिसके अभिदाता हैं।

PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY

NOTIFICATION

Pension Fund Regulatory and Development Authority (Exits and Withdrawals Under the National Pension System) Regulations 2015

New Delhi, the 11th May, 2015

No.PFRDA/12/RGL/139/8— In exercise of the powers conferred by sub-section (1) of section 52 read with clauses (g), (h), and (i) of sub-section (2) thereof of the Pension Fund Regulatory and Development Authority Act, 2013 (23 of 2013), the Pension Fund Regulatory and Development Authority hereby makes the following regulations, namely:-

CHAPTER I
PRELIMINARY

1. Short title and commencement.—(1) These regulations may be called the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under the National Pension System) Regulations, 2015.

"The regulations aim at providing an effective mechanism in the interest of subscribers, upon exit or withdrawal from the National Pension System, including the conditions, purpose, frequency and limits for withdrawals from individual pension account, as also the conditions, subject to which a subscriber shall exit from the National Pension System and purchase an annuity thereupon."

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these regulations, unless the context otherwise requires,-

(a) "Act" means the Pension Fund Regulatory and Development Authority Act, 2013 (23 of 2013);

(b) "accumulated pension wealth" means the monetary value of the pension investments accumulated in the Permanent Retirement Account of a subscriber under the National Pension System;

(c) "aggregator" means an intermediary registered with the Authority under sub-section (3) of section 27 of the Act, to perform subscriber interface functions under the National Pension System-Swavalamban and have the functional relationship with a known customer base for delivery of some socio-economic goods or services;

(d) "annuity service provider" means a life insurance company registered and regulated by the Insurance Regulatory and Development Authority and empanelled by the Authority for providing annuity services to the subscribers of the National Pension System;

(e) "citizen of India" means a person qualified to be a citizen of India under the Citizenship Act, 1955 (57 of 1955);

(f) "compliance officer" means a person of responsibility from the National Pension System Trust or any other intermediary or entity entrusted with the responsibility of receiving, processing and settlement of withdrawal claims from the subscribers under the National Pension System and responsible for monitoring compliance, of the provisions of the Act or the rules or the regulations made or notifications, guidelines or instructions issued by the Authority from time to time;

(g) "government sector subscriber" means a subscriber enrolled in the National Pension System through the nodal offices of the Central Government or the State Governments and registered as such with the central recordkeeping agency;

(h) "National Pension System-Lite" means a feature of optimized group model of National Pension System for persons belonging to unorganized sector of which the National Pension System-Swavalamban is a component where Government of India co-contribution is admissible;

(i) "Permanent Retirement Account Number (PRAN)" means a unique identification number allotted to each subscriber by the central recordkeeping agency;

(j) "Swavalamban subscriber" means a subscriber who is registered as such with the central recordkeeping agency under the National Pension System and where Government of India co-contribution is admissible;

(2) Words and expressions used and not defined in these regulations but defined in the Act shall have the meanings assigned to them in the Act.

CHAPTER II

EXIT FROM NATIONAL PENSION SYSTEM

For the purpose of exit from the National Pension System, the subscribers are categorized and defined as, (1) Government sector, (2) All citizens including corporate sector and (3) NPS- Lite and Swavalamban subscribers. The exit regulations specified hereunder shall apply accordingly to the category to which the subscribers.

3. Exit from National Pension System for government sector subscribers.-A government sector subscriber shall exit from the National Pension System in the manners specified hereunder, namely:-

(a) Where the subscriber who, upon attaining the age of superannuation as prescribed by the service rules applicable to him or her, retires, then at least forty per cent. out of the accumulated pension wealth of such subscriber shall be mandatorily utilized for purchase of annuity providing for a monthly or any other periodical pension and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum:

Provided that,-

(i) the following shall be the default annuity contract that will be applicable and wherein the annuity contract shall provide for annuity for life of the subscriber and his or her spouse (if any) with provision for return of purchase price of the annuity and upon the demise of such subscriber, the annuity be re-issued to the family members in the order specified hereunder at a premium rate prevalent at the time of purchase of such annuity by utilizing the purchase price required to be returned under the annuity contract (until all the family members in the order specified below are covered) :

(a) living dependent mother of the deceased subscriber;

(b) living dependent father of the deceased subscriber.

After the coverage of all the family members specified above, the purchase price shall be returned to the surviving children of the subscriber and in the absence of children, the legal heirs of the subscriber, as may be applicable;

the subscriber who wishes to opt out of the default option mentioned above and wishes to choose the annuity contract of his choice from the available annuity types or contracts with the annuity service providers, shall be required to specifically opt for such an option.

(ii) where the subscriber does not desire to withdraw the balance amount, after purchase of mandatory annuity, such subscriber shall have the option to defer the withdrawal of the lump sum amount until he or she attains the age of seventy years, provided the subscriber intimates his or her intention to do so in writing in the specified form at least fifteen days before the attainment of age of superannuation to the National Pension System Trust or an intermediary or entity authorized by the Authority for this purpose;

(iii) where the subscriber desires to defer the purchase of annuity, he or she shall have the option to do so for a maximum period of three years from the date of attainment of age of superannuation, provided the subscriber intimates his or her intention to do so in writing in the specified form at least fifteen days before the attainment of age of superannuation to the National Pension System Trust or an intermediary or entity authorized by the Authority for this purpose. It shall be a condition precedent to opt for such deferment of annuity purchase that in case if the death of the subscriber occurs before such due date of purchase of an annuity after the deferment, the annuity shall mandatorily be purchased by the spouse (if any) providing for annuity for life of the spouse with provision for return of purchase price of the annuity and upon the demise of such spouse be re-issued to the family members in the order of preference provided hereunder at a premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the contract (until all the members given below are covered):-

(a) living dependent mother of the deceased subscriber ;

(b) living dependent father of the deceased subscriber.

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in absence of children legal heirs of the subscribers as applicable;

(iv) where the subscriber desires to defer the withdrawal of lump sum amount or, the purchase of annuity, the subscriber shall be allowed to do so, provided the subscriber agrees to bear the maintenance charges of the Permanent Retirement Account, including the charges payable to the central recordkeeping agency, pension fund, Trustee Bank or any other intermediary, as may be applicable from time to time;

(v) where the accumulated pension wealth in the Permanent Retirement Account of the subscriber is equal to or less than a sum of two lakh rupees, the subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing annuity and upon such exercise of this option, the right of such subscriber to receive any pension or other amount under the National Pension System or from the government shall extinguish;

(b) where the subscriber who, before attaining the age of superannuation prescribed by the service rules applicable to him or her, voluntarily retires or exits, then at least eighty per cent. out of the accumulated

pension wealth of the subscriber shall mandatorily be utilized for purchase of annuity and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum:

Provided that the annuity contract shall provide for annuity for life of the subscriber and his or her spouse (if any) with provision for return of purchase price of the annuity and upon the demise of such subscriber the annuity be re-issued to the family members in the order specified hereunder at a premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the annuity contract (until all the members given below are covered) :-

- (i) living dependent mother of the deceased subscriber ;
- (ii) living dependent father of the deceased subscriber.

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in absence of children, the legal heirs of the subscriber as may be applicable.

Provided that if the accumulated pension wealth of the subscriber is more than one lakh rupees but the age of the subscriber is less than the minimum age required for purchasing any annuity from any of the empanelled annuity service providers as chosen by such subscriber, such subscriber shall continue to subscribe to the National Pension System, until he or she attains the age of eligibility for purchase of any annuity:

Provided further that if the accumulated pension wealth of the subscriber is equal to or less than one lakh rupees, such subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing any annuity and upon such exercise of this option the right of the subscriber to receive any pension or other amounts under the National Pension System shall extinguish and any such exercise of this option by the subscriber, before the regulations are notified, shall be deemed to have been made in accordance with this regulation;

- (c) where the subscriber who, before attaining the age of superannuation, dies, then at least eighty percent out of the accumulated pension wealth of the subscriber shall be mandatorily utilized for purchase of annuity and balance pension wealth shall be paid as lump sum to the nominee or nominees or legal heirs, as the case may be, of such subscriber:

Provided that,-

(i) The annuity contract shall provide for annuity for life of the spouse of the subscriber (if any) with provision for return of purchase price of the annuity and upon the demise of such spouse be re-issued to the family members in the order specified hereunder at the premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the contract (until all the members given below are covered):-

- (a). living dependent mother of the deceased subscriber ;
- (b) living dependent father of the deceased subscriber .

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in absence of children, the legal heirs of the subscriber as applicable.

(ii) Provided further that if the accumulated pension wealth in the permanent retirement account of the subscriber at the time of his death is equal to or less than two lakh rupees, the nominee or legal heirs as the case may be, shall have the option to withdraw the entire accumulated pension wealth without requiring to purchase any annuity and upon such exercise of this option the right of the family members to receive any pension or other amounts under the National Pension System shall extinguish;

4. Exit from National Pension System by citizens, including corporate sector subscribers.- Any subscriber, including a corporate sector subscriber, registered under the National Pension System, shall exit from the National Pension System in the manner specified hereunder, namely:-

(a) where a subscriber attains the age of sixty years or superannuates in accordance with the service rules applicable to such subscriber, at least forty percent out of the accumulated pension wealth of such subscriber shall be mandatorily utilized for purchase of annuity providing for a monthly or any other periodical pension and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum. In case, the accumulated pension wealth of the subscriber is equal to or less than a sum of two lakh rupees, the subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing any annuity:

Provided that,-

(i) the subscriber can continue to subscribe to the National Pension System beyond the age of sixty years or the age of superannuation, so specified, by intimating in writing, the age, not exceeding seventy years, until which he would like to contribute to his individual pension account.

Such intimation shall be given to the National Pension System Trust or any intermediary or entity authorized by the Authority for this purpose. Notwithstanding such intimation, the subscriber may exit at any point of time, from the National Pension System by submitting a request in writing to the National Pension System Trust or any intermediary or entity authorized by the Authority for this purpose ;

(ii) the subscriber shall have the option to defer the withdrawal of lump sum amount until he or she attains the age of seventy years, provided the subscriber intimates his or her intention to do so in writing in the specified form at least fifteen days before the attainment of age of sixty years or, the age of superannuation, as the case may be, to the National Pension System Trust or any intermediary or entity authorized by the Authority for this purpose;

(iii) the subscriber shall have the option to defer the purchase of annuity for a maximum period of three years, from the date of attainment of sixty years of age or the age of superannuation, as the case may be, provided the subscriber intimates his or her intention to do so in writing in the specified form at least fifteen days before the attainment of age of sixty years or the age of superannuation, as the case may be, to the National Pension System Trust or any intermediary or other entity authorized by the Authority for this purpose;

(iv) the subscriber shall be allowed to continue to subscribe, defer the withdrawal of lump sum amount or the purchase of annuity, as the case may be, provided the subscriber agrees to bear the maintenance charges of the Permanent Retirement Account, including the charges payable to the central recordkeeping agency, pension fund, Trustee Bank or any other intermediary, as may be applicable from time to time;

(b) where the subscriber who, before attaining the age of sixty years or the age of superannuation as prescribed by service rules, voluntarily opts to exit from the national pension system, the option so exercised shall be allowed only upon such subscriber having subscribed to the national pension system for at least a minimum period of ten years. In case of such subscriber, at least eighty percent out of the accumulated pension wealth shall be mandatorily utilized for purchase of annuity and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum:

Provided that if the accumulated pension wealth of the subscriber is more than one lakh rupees but the age of the subscriber is less than the minimum age required for purchasing any annuity from any of the empanelled annuity service providers as chosen by such subscriber, such subscriber shall continue to subscribe to the National Pension System, until he or she attains the age of eligibility for purchase of any annuity:

Provided further that if the accumulated pension wealth in the Permanent Retirement Account of the subscriber is equal to or less than one lakh rupees, such subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing any annuity;

(c) where the subscriber who, before attaining the age of sixty years or the age of superannuation as prescribed by the respective service rules applicable to him or her, dies, then the entire accumulated pension wealth of the subscriber shall be paid to the nominee or nominees or legal heirs, as the case may be, of such subscriber:

Provided that,-

(i) the nominee or family members of the deceased subscriber shall have the option to purchase any of the annuities being offered upon exit, if they so desire, while applying for withdrawal of benefits on account of deceased subscribers' Permanent Retirement Account;

(ii) in case, the nomination is not registered by the deceased subscriber before his death, the accumulated pension wealth shall be paid to the family members on the basis of the legal heir certificate issued by the Revenue authorities of the State concerned or the succession certificate issued by a court of competent jurisdiction.

5. Exit from National Pension System by NPS-Lite and Swavalamban subscribers.-Any subscriber registered under National Pension System as NPS-Lite or Swavalamban subscriber, can exit from the National Pension System, in the manner specified hereunder, namely:-

(a) Upon a subscriber, attaining the age of sixty years, at least forty percent of the accumulated pension wealth of such subscriber shall be mandatorily utilized for purchase of annuity providing for a monthly or any other periodical pension and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum:

Provided that,-

(i) for a Swavalamban subscriber the annuity purchased by utilizing the mandatory minimum of forty percent. of the accumulated pension wealth of the subscriber shall yield at least a monthly annuity or pension of one thousand rupees, failing which the entire accumulated pension wealth shall be annuitised in such a manner so as to yield at least a monthly annuity or pension of one thousand rupees and balance if any thereafter shall be paid in lump sum to the subscriber. However there shall be no implicit or explicit guarantee that the annuity purchased even with entire accumulated pension wealth would yield a monthly annuity or pension of one thousand rupees;

(ii) if the accumulated pension wealth of the subscriber is equal to or less than a sum of one lakh rupees, such subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing any annuity and upon such exercise of this option, the right of the subscriber to receive any pension under the National Pension System shall extinguish and any such exercise of this option by the subscriber, before the regulations are notified, shall be deemed to have been made in accordance with this regulation;

(b) at any time, before attaining the age of sixty years, subject however that at least eighty percent out of the accumulated pension wealth shall be mandatorily utilized for purchase of annuity and the balance of the accumulated pension wealth, after such utilization shall be paid to the subscriber in lump sum:

Provided that for a Swavalamban subscriber the annuity purchased by utilizing the mandatory minimum of forty percent. Out of the accumulated pension wealth shall yield at least a monthly annuity or pension of one thousand rupees per month, failing which the entire accumulated pension wealth shall be annuitised in such a manner so as to yield at least a monthly annuity or pension of one thousand rupees and balance if any thereafter shall be paid as lump sum to the subscriber. However there shall be no implicit or explicit guarantee that the annuity purchased even with entire accumulated pension wealth would yield a monthly annuity or pension of one thousand rupees:

Provided that subject to the provisions of this clause, where the accumulated pension wealth does not exceed one lakh rupees, the whole of the pension wealth shall be paid to the subscriber, without any annuitisation if the subscriber has continued in the scheme for a minimum period of twenty-five years;

Provided further that the migration of Swavalamban subscriber or subscribers to any other pension scheme of Government of India and as approved by the Authority shall not be deemed as an exit and withdrawal for the purposes of these regulations.

(c) where a subscriber who, before attaining the age of sixty years, dies, the entire accumulated pension wealth of the subscriber shall be paid to the nominee, or the legal heir of such subscriber and there shall not be any condition of mandatory purchase of annuity and provision of a monthly or periodical pension and there shall not be any requirement of the annuitisation of the accumulated pension wealth of such deceased

subscriber. The nominee or family members of the deceased subscriber shall have the option to purchase any of the annuities being offered upon exit, if they so desire:

Provided that, where a nomination is not registered by the subscriber before his death, the accumulated pension wealth of such subscriber shall be paid to the family members on the basis of the legal heir certificate issued by the Revenue authorities of the State concerned or the succession certificate issued by a court of competent jurisdiction.

6. Conditions to apply for exit and withdrawal.- A subscriber registered under the National Pension System shall not exit therefrom, and no withdrawal from the accumulated pension wealth in the Tier-1 of the Permanent Retirement Account of such subscriber shall be permitted, except as specified hereunder, namely:-

(a) no pension or accumulated pension wealth in Tier-I account of the Permanent Retirement Account of the subscriber under the National Pension System on account of past or present services, shall be liable to seizure, attachment or sequestration by process of any court at the instance of a creditor, for any demand against the subscriber, or in the satisfaction of a decree or order of any such Court except where the National Pension System Trust or its authorised representative has accorded prior sanction for assignment of the pension wealth accumulated in the pension account of the subscriber, which shall be restricted to such limit as prescribed in Regulation 8;

(b) any assignment, pledge, contract, order, sale or security of any kind made by any subscriber of the National Pension System, with respect to any benefit receivable by him or her under the National Pension System, or in respect of any money payable at or on account of any such benefit to such subscriber under the National Pension System, or for giving or assigning any future interest therein shall be null and void except where the National Pension System Trust or its authorized representative has accorded prior permission for such assignment of the pension wealth accumulated in the pension account of the subscriber and which shall be restricted to such limit as prescribed in Regulation 8 to which the assignment was agreed or approved by the National Pension System Trust or its authorised representative;

(c) the President of India or the Governor of a State, as the case may be, if so provided in the service rules, governing the employment of the subscriber, reserves the right of withholding the part of pension wealth, accumulated through co-contributions made by the Central Government or the State Government, as employer to the Tier-I account of the National Pension System account of the subscriber and the investment income accruing thereon, for the purpose of recovery of the whole or part of any pecuniary loss caused to the Central Government or the State Government, provided such loss is established, in any departmental or judicial proceedings, initiated against such subscriber by the employer concerned.

Such right of withholding shall have to be exercised prior to the date of superannuation of the subscriber, pursuant to a notice to be given to the National Pension System Trust or an entity to whom such authorization has been given, and seeking to withhold the said pension wealth of such subscriber. Upon such right of withholding being validly exercised:-

(i) the pension wealth which are payable under the National Pension System shall not be paid to such subscriber until the conclusion of the departmental or judicial proceedings, as the case may be and subject to the final orders, passed in such proceedings.;

(ii) the amount withheld as specified in sub-clause (i) shall remain subscribed to the scheme in the mode and manner in which it was held prior to resorting to such action by the concerned Government and the final settlement of the withheld amount shall be made by the National Pension System Trust, or any intermediary or other entity, authorized for this purpose by the Authority, normally within ninety days of the receipt of an appropriate order from the concerned Government;

(iii) the amount withheld becomes payable to the subscriber on the final settlement, as certified by the concerned Government department which has sought withholding of such benefits, and shall be paid to the subscriber as soon as possible and in no case beyond ninety days of receipt of the final order by the National Pension System Trust or any other entity or person, authorized for the purpose by the Authority;

✓(e) If the subscriber or the family members of the deceased subscriber, upon his death, avails the option of additional relief on death or disability provided by the Government, the Government shall have right to adjust or seek transfer of the entire accumulated pension wealth of the subscriber to itself. The subscriber or family members of the subscriber availing such benefit shall specifically and unconditionally agree and undertake to transfer the entire accumulated pension wealth to the Government, in lieu of enjoying or obtaining such additional reliefs like family pension or disability pension or any other pensionary benefit from such Government authority;

(g) all benefits receivable, including the purchase of annuity as specified under these regulations, shall be arranged to be paid by the National Pension System Trust or the central recordkeeping agency or any other entity authorized for the purpose by the Authority after processing the withdrawal applications in accordance with the provisions of these regulations, or any guidelines, order or notification, as may be issued by the Authority, from time to time;

(h) for a subscriber, exiting from Tier-I account under the National Pension System, the amounts lying in the Tier-II account shall also be monetized and closed simultaneously upon payment of the eligible benefit;

CHAPTER III

WITHDRAWALS, PURPOSE, FREQUENCY AND LIMITS UNDER NATIONAL PENSION SYSTEM

7. Conditions of withdrawals under National Pension System.- The National Pension System Trust or the central recordkeeping agency acting on behalf of the National Pension System Trust or any other entity authorized by the Authority for the purpose, may on receipt of an application for withdrawal from a subscriber in the specified form and subject to fulfillment of conditions so specified may allow withdrawal from the National Pension System in the mode and manner permitted under these regulations, guidelines, circulars, orders or notifications issued by the Authority from time to time:

Provided that the subscriber shall be required to submit the application form for withdrawal, specified for the purpose, along with documents, so specified and comply with the requirements contained in the operational

guidelines issued by the Authority with respect to the permissible withdrawals under the National Pension System.

8. The following withdrawals shall be permitted under National Pension System.- (1) A partial withdrawal of accumulated pension wealth of the subscriber, not exceeding twenty-five per cent. of the contributions made by the subscriber and excluding contribution made by employer, if any, at any time before exit from National Pension System subject to the terms and conditions, purpose, frequency and limits specified below:-

(A) Purpose: A subscriber on the date of submission of the withdrawal form, shall be permitted to withdraw not exceeding twenty-five percent of the contributions made by such subscriber to his individual pension account, for any of the following purposes only:-

- (a) for Higher education of his or her children including a legally adopted child
- (b) for the marriage of his or her children, including a legally adopted child;
- (c) for the purchase or construction of a residential house or flat in his or her own name or in a joint name with his or her legally wedded spouse.

In case, the subscriber already owns either individually or in the joint name a residential house or flat, other than ancestral property, no withdrawal under these regulations shall be permitted;

(d) for treatment of specified illnesses: if the subscriber, his legally wedded spouse, children, including a legally adopted child or dependent parents suffer from any specified illness, which shall comprise of hospitalization and treatment in respect of the following diseases:

- (i) Cancer;
- (ii) Kidney Failure (End Stage Renal Failure);
- (iii) Primary Pulmonary Arterial Hypertension;
- (iv) Multiple Sclerosis;
- (v) Major Organ Transplant;
- (vi) Coronary Artery Bypass Graft;
- (vii) Aorta Graft Surgery;
- (viii) Heart Valve Surgery;
- (ix) Stroke;
- (x) Myocardial Infarction
- (xi) Coma;
- (xii) Total blindness;
- (xiii) Paralysis;
- (xiv) Accident of serious/ life threatening nature.
- (xv) any other critical illness of a life threatening nature as stipulated in the circulars, guidelines or notifications issued by the Authority from time to time.

(B) Limits: the permitted withdrawal shall be allowed only if the following eligibility criteria and limit for availing the benefit are complied with by the subscriber:-

- (a) the subscriber shall have been in the National Pension System at least for a period of last ten years from the date of his or her joining;

(b) the subscriber shall be permitted to withdraw accumulations not exceeding twenty-five per cent of the contributions made by him or her and standing to his or her credit in his or her individual pension account, as on the date of application for withdrawal;

(C) Frequency: the subscriber shall be allowed to withdraw only a maximum of three times during the entire tenure of subscription under the National Pension System and not less than a period of five years shall have elapsed from the last date of each of such withdrawal. The mandatory requirement of five years having elapsed between two withdrawals shall not apply in case of "treatment for specified illnesses or in case of withdrawal arising out of exit from National Pension System due to the death of the subscriber. The request for withdrawal in the specified form, shall be submitted by the subscriber, along with relevant documents to the central recordkeeping agency or the National Pension System Trust, as may be specified, for processing of such withdrawal claim. Provided that where a subscriber is suffering from any illness, specified in sub-clause (d), the request for withdrawal may be submitted, through any family member of such subscriber.

(2) A subscriber having a valid and active Tier-II account of the Permanent Retirement Account can withdraw the accumulated wealth either in full or part, at any time by applying for such withdrawal, on such application form and in such mode and manner, as may be specified by the Authority in this behalf. There shall be no limit on such withdrawals till the account has sufficient amount of accumulated pension wealth to take care of the applicable charges and the withdrawal amount:

Provided that the Tier-II account shall stand automatically closed at the time of exit of the subscriber from the National Pension System, even if an application so specified for the purpose has not been received from the subscriber, and the accumulated wealth in such account shall be transferred to the bank account provided by the subscriber, while submitting his application for exit from the National Pension System.

9. Withdrawal process.- (1) The National Pension System Trust or any other intermediary or entity authorized by the Authority for the said purpose shall be responsible for processing and authorizing approving the withdrawal and exit claims lodged by the subscriber in accordance with the provisions of the Act, these regulations, directions, guidelines issued by the Authority and the Pension Fund Regulatory and Development Authority (National Pension System Trust) Regulations, 2015, where applicable. The National Pension System Trust shall frame suitable operational processes or guidelines for facilitating withdrawals and Exit of subscribers from National Pension System.

CHAPTER IV

ANNUITY PURCHASE AND ANNUITY SERVICE PROVIDERS

10. Conditions of annuity purchase upon exit.- (1) The subscriber, at the time of exit, shall mandatorily purchase an annuity providing for a monthly or periodical annuity or pension as specified in these regulations. Such annuity shall be purchased from an annuity service provider who is empanelled by the Authority.

(2) The exercise of option of the annuity and the type thereof shall be made by the subscriber at the time of exit from the National Pension System, unless otherwise specified by the Authority through circulars, notifications or guidelines issued by it from time to time.

(3) Once an annuity is purchased, the option of cancellation and reinvestment with another annuity service provider or in another annuity scheme shall not be allowed unless the same is within the time limit specified

by the annuity service provider, for the free look period as provided in the terms of the annuity contract or as specifically provided by the Insurance Regulatory and Development Authority.

(4) The subscriber shall have an option to choose from various types of annuities, provided by the annuity service provider and the annuity so chosen shall be provided by the empanelled annuity service provider.

(5) There shall be a default annuity service provider and a default annuity scheme for the benefit of subscribers exiting from the National Pension System. The information on the default annuity service provider and default annuity scheme applicable shall be such as may be specified by the Authority and placed on its website, apart from communicating to the subscriber through circulars, guidelines or notification issued by it. Such default annuity scheme shall not be available or applicable in the case of Government subscribers covered under regulation 3.

11. Empanelment of annuity service providers.- (1) On and from the commencement of these regulations, an applicant, meeting the eligibility criteria as specified in these regulations for grant of an empanelment certificate to act as an empanelled annuity service provider, shall make an application in the specified form accompanied by a empanelment fee referred to in sub-regulation (2) and such documents in support thereon, as may be specified by the Authority.

(2) One time empanelment fee of rupees one lakh, shall be submitted along with the application, to the Authority. The empanelment fee shall be realized by the Authority within fifteen days from the date of sending intimation of grant of certificate of empanelment under regulation 17:

Provided that every empanelled annuity service provider shall, at the time of renewal of empanelment certificate pay such renewal fees, if any, as may be specified by the Authority, from time to time through a circular, order or notification issued by it.

(3) An application, not complete in all respects and not conforming to the instructions specified in the application form and these regulations shall be rejected. Provided that, before rejecting any such application, the applicant shall be given a reasonable opportunity to withdraw or complete the application in all respects and rectify the errors, if any. The Authority may seek such additional information for disposal of the application from the Applicant as may be deemed relevant.

(4) An annuity service provider empanelled by the Interim Pension Fund Regulatory and Development Authority prior to the commencement of these regulations, may continue to act as such, for a period of ninety days from the notification of these regulations or, if it makes an application for grant of empanelment till the disposal of its application by the Authority.

12. Eligibility criteria for grant of certificate.-(1) The following shall be the eligibility criteria for any applicant to act as an empanelled annuity service provider:-

- (a) any Life Insurance Company registered and regulated by the Insurance Regulatory and Development Authority and dealing with annuity products in the domestic market for the last three years;
- (b) the applicant having a minimum net worth of rupees two hundred and fifty crores;

- (c) the applicant shall have competency in design, development and offering of annuity products, which is demonstrable by the details of the annuity products filed with the Insurance Regulatory and Development Authority;
- (d) not barred from dealing with or selling annuity products in the market by the Insurance Regulatory and Development Authority;
- (e) any other criteria as may be specified by the Authority from time to time through resolutions, notifications, circulars, guidelines, norms or memoranda.

(2) The Authority reserves the right to waive or modify some or all of the above criteria for reasons to be recorded in writing.

13. Disclosure of information.- (1) The Authority, having regard to the interest of the subscribers may, have the right to disclose to the public, of the information on the application made by the applicant.

(2) Any material change in the information furnished to the Authority while making the application for empanelment or subsequently shall be intimated to the Authority by the annuity service provider promptly but not later than thirty days of the occurrence of such change.

14. Furnishing of information and clarification.- (1) The Authority may require the applicant to furnish any further information or clarification, for the purpose of disposal of the application for empanelment, and, thereafter, in regard to any other matter as may be deemed necessary by the Authority. The applicant or its principal officer shall, if so required, appear before the Authority for a personal representation in connection with the application;

(2) The applicant shall furnish such information and clarification to the satisfaction of the Authority, within the time specified in this regard by the Authority.

15. Verification of information.- (1) While considering the application and the information furnished by the applicant and its eligibility, the Authority may, if it so desires, verify the information in any manner, as it deems necessary, including by physical verification of documents, office space, and inspection of the availability of office space, infrastructure, and technological support which the applicant is required to have.

(2) For the purpose of verification of information, the Authority may appoint any person including any of its officers or an auditor or an external agency.

16. Consideration of application.- (1) For considering the eligibility of the applicant and grant of certificate of empanelment to such applicant, the Authority shall take into account all matters which it deems relevant to the activities in the pension sector and the National Pension System, including but not limited to the following:-

- (a) whether the applicant or any of its associates have in the past been refused grant of empanelment certificate by any of the financial sector regulators in India including the Reserve Bank of India, the Securities

and Exchange Board of India, the Insurance Regulatory and Development Authority and the Authority and if so, the ground for such refusal;

(b) whether the applicant has in the past five years been imposed with penalties by any of the financial regulators such as the Reserve Bank of India, the Securities and Exchange Board of India, the Insurance Regulatory and Development Authority and the Authority or by a court of law or tribunal, on matters concerning violation of provisions of the laws, the regulations made or directions, guidelines and circulars issued by the respective regulator and if so, the ground for such refusal;

(c) whether the applicant satisfies the eligibility criteria and other requirements as specified in these regulations;

(d) whether the grant of a certificate to the applicant is in the interest of the subscribers and or the orderly development of pension sector or of the National Pension System.

(2) While considering the application, the Authority may invite the applicant to make a presentation to the Authority on such a date, time and place determined by the Authority. The purpose of such presentations shall be to allow the applicants to present its proposal to the Authority and to explain the key strengths in its proposal.

(3) Any application for grant of certificate of empanelment,-

(a) which is not complete in all respects and does not conform to the requirements in the and the requirements specified in these regulations;

(b) which does not contain such additional information as required by the Authority;

(c) which is incorrect, false or misleading in nature;

(d) where the applicant is not in compliance with the eligibility requirements as set out under these regulations;

(e) which in the opinion of the Authority is not in the interest of subscribers and or the objective of orderly development of the pension sector or the National Pension System;

(f) where the applicant is not a 'fit and proper person';

shall be rejected by the Authority for reasons to be recorded by it in writing.

(4) Before rejecting an application, the applicant shall be given an opportunity in writing to make good the deficiencies within the time specified by the Authority, for the purpose:

Provided that where an application is rejected for the reason that it contains false or misleading information, no such opportunity may be given and the applicant shall not make any application for grant of certificate under these regulations or any other regulations for a period of one year from the date of such rejection.

(5) An application for grant of certificate of empanelment, under these regulations, which is complete in all respects, shall be disposed of by the Authority, within a period of sixty days from the date of receipt of such request.

17. Procedure for grant of certificate of empanelment.- (1) The Authority on being satisfied that the applicant is eligible, shall grant a certificate of empanelment in the form specified in Annexure III and send an intimation to the applicant in this regard:

Provided that where a pending proceeding before the Authority or any court or tribunal may result in the suspension or cancellation of the certificate, the Authority may give a conditional certificate of empanelment.

(2) Within thirty working days of the date of receipt of certificate of empanelment, the annuity service provider shall enter into an agreement with the National Pension System Trust or the central recordkeeping agency for the purpose of operationalization of the process for purchase of annuities by the subscribers of the National Pension System.

18. Conditions of certificate of Empanelment.—Any certificate of empanelment granted by the Authority to an annuity service provider shall be subject to the following conditions, namely,-

- (a) where the annuity service provider proposes to change its status or constitution, it shall intimate to the Authority of such information along with the approval obtained from the Insurance Regulatory and Development Authority, for continuing to act as an annuity service provider;
- (b) it shall pay the applicable fees in accordance with these regulations;
- (c) it shall abide by the provisions of the Act, the rules and the regulations made or any direction, guidelines or circulars as may be issued by the Authority thereunder;
- (d) it shall abide by the provisions of the Insurance Act, 1938, Insurance Regulatory and Development Authority Act, 1999 and the rules and regulations framed thereunder.
- (e) it shall meet the eligibility criteria and other requirements specified in these regulations throughout the tenure of the certificate of empanelment:

Provided that the Authority may impose such other and further conditions as it may deem fit in the interest of subscribers or for orderly development of the National Pension System or the Pension sector.

19. Effect of refusal to grant certificate of empanelment or expiry of certificate of empanelment.—(1) Where an existing annuity service provider has failed to apply for renewal of empanelment of certificate and upon expiry of certificate of empanelment or has been refused grant of certificate of empanelment under these regulations, or has surrendered its certificate, or has been directed to be wound up by an order of a court, such annuity service provider shall,-

- (a) forthwith cease to act as an annuity service provider for subscribers of National pension System;
- (b) make provisions as regards liability incurred or assumed by the annuity service provider, if any;
- (c) take such other action, within the time limit and in the manner, as may be required under the relevant regulations or as may be directed by the Authority.

(2) While refusing grant of certificate of empanelment under these regulations to an annuity service provider, the Authority may impose such conditions upon the annuity service provider as it deems fit for protection of interest of the subscribers and such conditions shall be complied with.

20. Period of validity of certificate of empanelment.- (1) Subject to compliance with the provisions of the Act, these regulations, the certificate granted to an annuity service provider shall be valid unless surrendered by it or suspended or cancelled in accordance with these regulations.

(2) An Annuity Service Provider who has been granted a certificate of empanelment, to keep such empanelment in force, shall pay a fee of rupees twenty-five thousand within ninety days before the expiry of five years from the date of first empanelment or date of the payment of fee last accepted by the Authority, by way of making an application in the specified form to the Authority.

21. Exemptions in certain cases from eligibility criteria.- (1) If any of the applicants does not fulfill any of the eligibility criteria as specified for the annuity service provider, it may request the Authority through an application seeking exemption from such criteria.

(2) The Authority, if in its opinion feels, that the non-fulfillment of the eligibility conditions of which relaxation is sought would not prejudicially affect the interest of the subscribers, and such relaxation would not hamper orderly development of the pension sector and more specifically the National Pension System, it may grant exemption from some of the criteria to such entity for reasons to be recorded in writing. The Authority may in such circumstances impose such additional conditions as it may deem fit for grant of empanelment. .

22. Duties and responsibilities of empanelled annuity service providers.- (1) The main functions of a empanelled annuity service provider is,-

(a) to provide different kinds of immediate annuities to the subscribers at the time of exit from the National Pension System;

(b) to provide minimum immediate annuity variants options as required by the Authority and to be able to provide any new variant as required by the Authority from time to time in the interest of subscribers in conformity with the Insurance Act, 1938 (4 of 1938) and the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), and the rules, regulations and guidelines made thereunder;

(c) to provide monthly or any other periodical annuity payment to the subscriber for the annuity contract purchased by the subscriber under the National Pension System;

(d) the annuity service provider shall be responsible for handling the grievances and issues related to or arising out of the entering into the annuity contract with the subscribers under the National Pension System.

(2) The initial customer interaction for the National Pension System, shall be,-

(a) addressing queries of potential subscribers regarding purchase of annuities;

(b) providing and displaying of Insurance Regulatory and Development Authority approved information on annuities and application form or offer document or other publicity material pertaining to immediate annuities available including the annuity calculators.

(3) Subscriber registration for purchase of annuity,-

(a) to make available the necessary infrastructure required for receipt and acceptance of applications with the specified premiums and issuance of annuity contracts in line with the approvals granted by the Insurance Regulatory and Development Authority;

(b) facilitate or provide infrastructure required for online purchase of annuity products by the subscribers through the central record keeping agency registered and regulated by the Authority, including the necessary software support. The annuity service provider shall provide the necessary application forms, literature on the available annuities and other facilities available to the subscribers through the central recordkeeping agency system or any other mode specified for the purpose;

(c) issuance of the annuity contract as per the choice of the subscriber provided in the annuity application in line with these regulations and guidelines specified by the Insurance Regulatory and Development Authority;

(d) the annuity service provider shall be responsible for delivering the monthly, quarterly or annual pension or annuity as chosen by the subscriber under the National Pension System in the annuity application form and the annuity contract entered by such subscriber. However, in case of government sector subscribers, the annuity payable shall be on monthly basis only;

(e) the annuity service provider shall be responsible for collection, verification and subsequent actions for issuance of annuity contracts against purchases by subscribers under the National Pension System from the central recordkeeping agency or its representative or other entity which is authorized by the Authority for the purpose;

(f) the annuity service provider shall provide the information on annuity purchases made by the subscribers under the National Pension System to the National Pension System Trust and the central recordkeeping agency in the form, format and interval to be specified by the National Pension System Trust.

(4) The handling of subscriber requests such as receiving, processing and effecting requests from the subscribers for change in address, nomination or any other activity in connection with the annuity contract entered into by the annuity service provider.

(5) The annuity service provider shall be responsible for receiving from, and resolving the, grievances of subscribers under the National Pension System who had purchased the annuity from it and follow them up till their redressal in accordance with the grievance redressal guidelines or regulations for insurers issued by the Insurance Regulatory and Development Authority.

(6) Any complaint from a subscriber relating to the services provided shall be dealt by the annuity service provider and settled in accordance with the provisions of the Insurance Regulatory and Development Authority, Act 1999 (41 of 1999), and the rules and regulations made thereunder, by the annuity service provider under intimation to the National Pension System Trust. This shall be without prejudice to the powers of the Authority to cancel or suspend the empanelment of the annuity service provider or take such other measures as deemed necessary in the subscriber's interest.

23. Fees and charges to be charged from the subscribers.- There shall not be any additional fees or charges other than the premium as approved by the Insurance Regulatory and Development Authority for the product

but excluding any taxes imposed by the Government. There shall not be any additional intermediation expense or charge for the product issued to the subscribers.

24. Appointment of compliance officer.— (1) Each annuity service provider shall appoint a compliance officer who shall be responsible for monitoring compliance of duties of annuity service provider as provided under these regulations and any other rules, regulations, guidelines issued by the Insurance Regulatory and Development Authority and for redressal of grievances reported by the subscribers who have purchased the annuities from the annuity service provider upon exit from the National Pension System. The name and details of such compliance officer shall be intimated to the Authority within thirty days of such appointment.

(2) The compliance officer shall be responsible for activities related to the coordination with other entities in the National Pension System like the National Pension System Trust, the central recordkeeping agency, Trustee Bank or any other specific entity connected with annuity purchases or any activity related to it.

25. Code of conduct.—The empanelled annuity service provider shall at all times observe the code of conduct for insurers or any other similar rules, guidelines or regulations specified by the Insurance Regulatory and Development Authority for fair dealing in activities related to the annuity purchase by subscribers.

26. Power of the Authority to take up any of the matters associated with Insurance Regulatory and Development Authority.—In order to remove any difficulties in the annuity purchase, grievances arising out of annuity purchase or any other matter associated with annuity purchase by subscribers under the National Pension System, the Authority may take up the matter directly with the Insurance Regulatory and Development Authority.

27. Confidentiality.— The empanelled annuity service provider shall maintain absolute confidentiality with respect to all records, data and information received by it under the National Pension System including information received from a subscriber. The annuity service provider shall not, without the prior permission of the Authority, produce or share such data or information as evidence, or for any other purpose, except as required by the due process of law.

28. Cancellation of empanelment.—The Authority may cancel the empanelment of an annuity service provider, after giving a reasonable opportunity of hearing and for reasons to be recorded in writing.

CHAPTER V INSPECTION AND AUDIT

29. Inspection and audit.—(1) The powers of the Authority with respect to audit and inspection of intermediaries entrusted with the functions of managing the withdrawals from the National Pension System shall be in accordance with the regulations governing the specific intermediaries under the National Pension System.

CHAPTER VI
INQUIRY

30. Conduct of inquiry.- (1) The inquiry proceedings and action in case of default shall be in accordance with the regulations governing the specific intermediaries like the National Pension System Trust, the central recordkeeping agency or any other intermediary.

(2) Where the default involves, the National Pension System Trust, the central recordkeeping agency and or any other intermediary, a common inquiry may be held for the purpose.

CHAPTER VII
MISCELLANEOUS

31. Prevention of fraud or mismanagement.-The National Pension System Trust or the central recordkeeping agency or the annuity service provider or any other intermediary or entity entrusted with the functions of managing the withdrawals from the National Pension System by the Authority shall take all possible steps to prevent fraud or mismanagement of the withdrawals of the subscribers upon exit from the National Pension System.

32. Nomination.-Notwithstanding anything contained in these regulations or in any other law for the time being in force, a subscriber, at the time of joining the National Pension System is required to make a nomination, in the specified form, conferring on one or more persons the right to receive the amount that may stand to his or her credit in the accumulated wealth or fund in the event of his or her death, before that amount becomes payable or having become payable has not been paid. The nominee or nominees, as the case may be, shall be entitled, on the death of the subscriber, to receive, to the exclusion of all other persons, all such moneys which have so remained unpaid:

Provided that,-

- (i) if the nominee predeceases the subscriber, the nomination shall so far as it relates to the right conferred upon the said nominee, become void and of no effect;
- (ii) where a provision has been duly made in the nomination, in accordance with these regulations, conferring upon some other person the right to receive all such moneys, which have so remained unpaid, in the event of the nominee predeceasing the subscriber, such right shall, upon the nominee being deceased, pass to such other persons standing as nominees;
- (iii) a subscriber may in his nomination distribute the amount that may stand to his credit in the fund amongst his nominees at his own discretion;
- (iv) if a subscriber has a family at the time of making a nomination, the nomination shall be in favour of one or more persons belonging to his family. Any nomination made by such subscriber in favour of a person not belonging to his family shall be invalid;
- (v) a fresh nomination shall be made by the subscriber on his marriage and any nomination made before such marriage shall be deemed to be invalid;
- (vi) if at the time of making a nomination the subscriber has no family, the nomination may be in favour of any person or persons but if the subscriber subsequently acquires a family, such nomination shall forthwith be deemed to be invalid and the subscriber shall make a fresh nomination in favour of one or more persons belonging to his family;

- (vii) where the nomination is wholly or partly in favour of a minor, the subscriber may, for the purposes of this Scheme, appoint a major person of his family, to be the guardian of the minor nominee in the event of the subscriber predeceasing the nominee and the guardian so appointed;
- (viii) where there is no major person in the family, the subscriber may, at his discretion, appoint any other person to be a guardian of the minor nominee;
- (ix) a nomination made under the National Pension System may at any time be modified by a subscriber after giving a written notice of his intention of doing so in the form specified. A nomination or its modification so made shall take effect to the extent that it is valid on the date on which it is received by the intermediary under the National Pension System;
- (x) if a subscriber proves that his spouse has ceased, under the personal law governing him or her, or the customary law of the community to which the spouses belong, to be entitled to maintenance he or she shall no longer be deemed to be a part of the subscriber's family for the purpose of this Scheme, unless the subscriber subsequently intimates by express notice in writing to the designated intermediary for the purpose that he or she shall continue to be so regarded; and
- (xi) if a subscriber by notice in writing to the designated intermediary for the purpose expresses her desire to exclude her husband from the family, the husband and his dependent parents shall no longer be deemed to be a part of the subscriber's family for the purpose of this Scheme, unless the subscriber subsequently cancels in writing any such notice.

Explanation I -- For the purposes of this chapter,-

- (a) the expression "family",
 - (i) in relation to a male subscriber, means his legally wedded wife, his children, whether married or unmarried, his dependent parents and his deceased son's widow and children;
 - (ii) in relation to a female subscriber, means her legally wedded husband, her children, whether married or unmarried, her dependent parents, her husband's dependent parents and her deceased son's widow and children;

Explanation II -- In either of the above two cases, if the child of a subscriber [or as the case may be, the child of a deceased son of the subscriber] has been adopted by another person and if, under the personal law of the adopter, adoption is legally recognized, such a child shall be considered as excluded from the family of the subscriber.

33. Submission of withdrawal application.-A subscriber seeking withdrawal from Tier-I account of the National Pension System shall submit his withdrawal application along with the requirements mentioned thereon to the central recordkeeping agency as per the operational withdrawal and exit guidelines issued by the Authority from time to time.

34. Requirement of submission of documents.-A subscriber seeking withdrawal from Tier-I account of the National Pension System shall submit all the documents as specified on the withdrawal application form. The withdrawal application forms applicable to various categories of the subscribers shall be as per the forms provided by the Authority from time to time.

35. Providing bank account details.-A subscriber seeking withdrawal from Tier-I account of the National Pension System shall provide the Bank details mandatorily apart from Aadhar card or PAN card issued by Income-Tax Department, whichever is available in the section provided in the withdrawal form in order to provide credit of the National Pension System claim amount directly in to their Bank accounts.

36. Mode of payments under National Pension System.-All payments pertaining to withdrawals under National Pension System shall be made through electronic transfer only and the withdrawal amount shall be directly credited to the subscriber or claimant's bank account as furnished in the withdrawal form.

37. Stoppage of last three months deductions by employer.-Contributions deductions under the National Pension System made by the employers from the salary of such subscriber shall be stopped at least three months prior to the date of superannuation, as may be applicable, to ensure that the exit and withdrawal of the subscriber is smooth and effective. The employer shall settle directly the said last three months contributions at their end with the concerned employee.

38. Reports and disclosures.-The annuity service provider, the National Pension System Trust or the central recordkeeping agency shall submit such information and reports as required by the Authority in the mode, manner and frequency as specified by the Authority from time to time.

39. Power of the Authority to issue directions and clarifications.-The Authority shall have power to issue necessary directions, restricting the provisions relating to withdrawals and exit, as the case may be, under these regulations, so as to comply with any requirements to move from any other pension or superannuation schemes not covered under the Act, to the National Pension System. The Authority may issue clarifications and guidelines in order to remove any difficulties in the application or interpretation of these regulations.

[ADVT-III/4/Exty./203/49/15]

HEMANT G. CONTRACTOR, Chairperson

PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY**NOTIFICATION**

New Delhi, the 10th August, 2017

Pension Fund Regulatory and Development Authority (Exits and Withdrawals under the National Pension System) (First Amendment) Regulations, 2017

No. PFRDA/12/RGL/139/8.—In exercise of the powers conferred by sub-section(1) of Section 52 read with sub-clause(g), (h), and (i) of sub-section 2 of Section 52 of the Pension Fund Regulatory and Development Authority Act, 2013 (Act No.23 of 2013), the Pension Fund Regulatory and Development Authority hereby makes the following regulations to amend the Pension Fund Regulatory and Development Authority(Exits and Withdrawals under the National Pension System) Regulations, 2015 namely,-

1. These regulations may be called the Pension Fund Regulatory and Development Authority (Exits and Withdrawals under the National Pension System) (First Amendment) Regulations, 2017.
2. These shall come into force on the date of their publication in the official gazette.
3. In the Pension Fund Regulatory and Development Authority(Exits and Withdrawals under the National Pension System) Regulations, 2015:-

(I) In regulation 2, in sub-regulation (1), the following new clauses shall be added after sub-clause (j)-

(k) "Exit " for the purpose of this regulation shall mean closure of individual pension account of the subscriber under National Pension System, upon and on the date of happening of any of the following events, as may be applicable:

- (i) a subscriber having superannuated/retired from employment, as per the terms of such employment;
- (ii) a subscriber having attained the age of sixty years, and where so specifically permitted has not exercised a choice in writing to continue to remain subscribed to such system, till such further period as is permissible, with or without making contributions;
- (iii) death of the subscriber before attaining the age of superannuation, or the age of sixty years, or in cases where an option has been exercised by subscriber to continue to remain subscribed to a certain permissible time period, death before expiry of such period ;
- (iv) voluntary closure of the account by the subscriber, in cases where so permitted and on the date on which such closure is effected in the system;

Provided that a subscriber shall be deemed to have exited from National Pension System, in accordance with sub-clause (i) to (iv) notwithstanding that no claims have been received by or on behalf of the subscriber or such claims having being received are pending settlement.

Provided further that where a subscriber ceases to be in employment other than retirement or superannuation, it shall not be treated as exit and he shall have the option to continue his individual pension account, if available under new employment or as voluntarily available to citizens, unless the subscriber prefers a claim as provided under these regulations for withdrawal of benefits.

(l) The expression "defer" or "deferment" wherever used in these regulations shall mean the postponement or deferment of claims for receiving benefits admissible to a subscriber upon exit from National Pension System.

(II) Regulation 3 shall be substituted as follows –

3. Exit from National Pension System for government sector subscribers.-A subscriber under the government sector shall exit from the National Pension System in any of the manners specified hereunder, namely:-

- (a) Where the subscriber who, upon attaining the age of superannuation as prescribed by the service rules applicable to him or her, retires, then at least forty per cent. out of the accumulated pension wealth of such subscriber shall be mandatorily utilized for purchase of annuity providing for a monthly or any other periodical pension and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum or he shall have a choice to collect such remaining pension wealth

in accordance with the other options specified by the Authority from time to time, in the interest of the subscribers:

Provided that,-

(i) the following shall be the default annuity contract that will be applicable and wherein the annuity contract shall provide for annuity for life of the subscriber and his or her spouse

(if any) with provision for return of purchase price of the annuity and upon the demise of such subscriber, the annuity be re-issued to the family members in the order specified hereunder, at a premium rate prevalent at the time of purchase of such annuity by utilizing the purchase price required to be returned under the annuity contract (until all the family members in the order specified below are covered) :

(a) living dependent mother of the deceased subscriber;

(b) living dependent father of the deceased subscriber.

After the coverage of all the family members specified above, the purchase price shall be returned to the surviving children of the subscriber and in the absence of children, the legal heirs of the subscriber, as may be applicable; In the absence of or non-availability of such a default annuity for any reason, the subscriber shall be required to exercise the option for purchase of such annuity of his choice, within the then annuity types or contracts made available by the annuity service providers empanelled by the Authority.

Further, a subscriber who wishes to opt out of the default option mentioned above and wishes to choose the annuity contract of his choice from the available annuity types or contracts with the annuity service providers, shall be required to specifically opt for such an option.

(ii) where the subscriber does not desire to withdraw the balance amount, after purchase of mandatory annuity, such subscriber shall have the option to defer the withdrawal of the lump sum amount until he or she attains the age of seventy years, provided the subscriber intimates his or her intention to do so in writing, not less than fifteen days prior to his attaining the age of superannuation, to the Central recordkeeping agency or National Pension System Trust or any other approved intermediary or entity authorized by the Authority, in the specified form or in any other manner specified by the Authority;

(iii) where the subscriber desires to defer the purchase of annuity, he or she shall have the option to do so for a maximum period of three years from the date of attainment of age of superannuation, provided the subscriber intimates his or her intention to do so in writing in the specified form or in any other manner approved by the Authority, at least fifteen days prior to the attainment of age of superannuation, to the Central recordkeeping agency or National Pension System Trust or an intermediary or entity authorized by the Authority for this purpose. It shall be a condition precedent to opt for such deferment of annuity purchase, that in case if the death of the subscriber occurs before such due date of purchase of an annuity after the deferment, the annuity shall mandatorily be purchased by the spouse(if any) providing for annuity for life of the spouse with provision for return of purchase price of the annuity and upon the demise of such spouse, be re-issued to the family members in the order of preference provided hereunder, at a premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the contract (until all the members given below are covered):-

(a) living dependent mother of the deceased subscriber ;

(b) living dependent father of the deceased subscriber.

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in absence of children to the legal heirs of the subscriber as applicable;

(iv) where the subscriber desires to defer the withdrawal of benefits available under National Pension System, the expenses, maintenance charges and fee payable under the National Pension System in respect of the individual pension account/ Permanent Retirement Account, shall continue to remain applicable;.

(v) where the accumulated pension wealth in the Permanent Retirement Account of the subscriber is equal to or less than a sum of two lakh rupees, or a limit as specified by the Authority, basing on the instructions issued by the appropriate regulator on the minimum value of annuities to be made available by the life insurers, the subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing annuity and upon such exercise of this option, the right of such subscriber to receive any pension or other amount under the National Pension System or from the government or employer, shall extinguish;

(vi) where the subscriber desires to continue in the National Pension System and contribute to his retirement account beyond the age of sixty years or the age of superannuation, he or she shall have the option to do so by giving in writing or in such form as may be specified, and up to which he would like to contribute to his individual pension account but not exceeding seventy years of age. Such option shall be exercised at least fifteen days prior to the age of attaining sixty years or age or superannuation, as the case may be, to the central recordkeeping agency or the National Pension System Trust or any other intermediary or entity authorized by the Authority for the purpose. Upon exercise of the option, the other options of deferment of benefits shall not be available to such a subscriber.

Notwithstanding exercise of such option, the subscriber may exit at any point of time from National Pension System, by submitting a request to central recordkeeping agency or the National Pension System Trust or any intermediary or entity authorized by the Authority for the purpose ;

(b) where the subscriber who, before attaining the age of superannuation prescribed by the service rules applicable to him or her, voluntarily retires or exits, then at least eighty per cent. out of the accumulated pension wealth of the subscriber shall mandatorily be utilized for purchase of annuity and the balance of the accumulated pension wealth, after such utilization, shall be paid to the subscriber in lump sum or he shall have a choice to collect such remaining pension wealth in accordance with the other options specified by the Authority from time to time, in the interest of the subscribers:

Provided that such annuity contract shall provide for annuity for life of the subscriber and his or her spouse (if any) with provision for return of purchase price of the annuity and upon the demise of such subscriber the annuity be re-issued to the family members in the order specified hereunder at a premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the annuity contract (until all the members given below are covered) :-

- (i) living dependent mother of the deceased subscriber ;
- (ii) living dependent father of the deceased subscriber.

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in the case of absence of children, to the other legal heirs of the subscriber, as may be applicable; In the absence of or non-availability of such a default annuity for any reason, the subscriber shall be required to exercise the option for purchase of such annuity of his choice, within the then annuity types or contracts made available by the annuity service providers empanelled by the Authority.

Further, a subscriber who wishes to opt out of the option mentioned above and wishes to choose the annuity contract of his choice, from the available annuity types or contracts with the annuity service providers , shall be required to specifically opt for such an option.

Provided that if the accumulated pension wealth of the subscriber is more than one lakh rupees or a limit to be specified by the Authority for the purpose but the age of the subscriber is less than the minimum age required for purchasing any annuity from any of the empanelled annuity service providers as chosen by such subscriber, such subscriber shall continue to be subscribed to the National Pension System, until he or she attains the age of eligibility for purchase of any annuity:

Provided further that if the accumulated pension wealth of the subscriber is equal to or less than one lakh rupees or a limit to be specified by the Authority basing on the instructions issued by the appropriate regulator on the minimum value of annuities to be made available by the life insurers, such subscriber shall have the option to withdraw the entire accumulated pension wealth without purchasing any annuity and upon such exercise of this option the right of the subscriber to receive any pension or other amounts under the National Pension System shall extinguish and any such exercise of this option by the subscriber,

before the notification of this provision, , shall be deemed to have been made in accordance with this regulation;

- (c) where the subscriber who, before attaining the age of superannuation, dies, then at least eighty percent out of the accumulated pension wealth of the subscriber shall be mandatorily utilized for purchase of annuity and balance pension wealth shall be paid as lump sum or in another manner from among the options made available by the Authority from time to time to the nominee or nominees or legal heirs, as the case may be, of such subscriber:

Provided that,-

(i) such annuity contract shall provide for annuity for life of the spouse of the subscriber (if any) with provision for return of purchase price of the annuity and upon the demise of such spouse be re-issued to the family members in the order specified hereunder at the premium rate prevalent at the time of purchase of the annuity, utilizing the purchase price required to be returned under the contract (until all the members given below are covered):-

- (a) living dependent mother of the deceased subscriber ;
(b) living dependent father of the deceased subscriber .

After the coverage of all such members, the purchase price shall be returned to the surviving children of the subscriber and in absence of children, the legal heirs of the subscriber as applicable. In the absence of or non-availability of such a default annuity for any reason, the subscriber shall be required to exercise the option for purchase of such annuity of his choice, within the then annuity types or contracts made available by the annuity service providers empanelled by the Authority.

(ii) Provided further that if the accumulated pension wealth in the permanent retirement account of the subscriber at the time of his death is equal to or less than two lakh rupees or a limit to be specified by the Authority, basing on the instructions issued by the appropriate regulator on the minimum value of annuities to be made available by the life insurers, the nominee or legal heirs as the case may be, shall have the option to withdraw the entire accumulated pension wealth without requiring to purchase any annuity and upon such exercise of this option the right of the family members to receive any pension or other amounts under the National Pension System shall extinguish;

(III) (i) Proviso (i) to Sub-clause (a) of Regulation 4 shall be substituted as follows -

Provided that,-

(i) where the subscriber desires to continue in the National Pension System and contribute to his retirement account beyond the age of sixty years or the age of superannuation, he or she shall have the option to do so by giving in writing or in such form as may be specified of the age not exceeding seventy years and up to which he would like to contribute to his individual pension account. Such option shall be exercised at least fifteen days prior to attaining the age of sixty years or age of superannuation, as the case may be, to the central recordkeeping agency or the National Pension System Trust or any other intermediary or entity authorized by the Authority for the purpose. Upon exercise of the option, the other options of deferment of benefits shall not be available to such a subscriber.

Notwithstanding exercise of such option, the subscriber may exit at any point of time from the National Pension System, by submitting a request to National Pension System Trust or any intermediary or entity authorized by the Authority for the purpose;

(ii) Proviso to sub-clause (b) of Regulation 4 shall be substituted as follows:

Provided further that if the accumulated pension wealth in the individual pension account of the subscriber is equal to or less than one lakh rupees, or a limit to be specified by the Authority, basing on the instructions issued by the appropriate regulator on the minimum value of annuities to be made available by the life insurers, such subscriber shall have the option to withdraw the entire accumulated pension wealth without requiring to purchase any annuity;

(iii) proviso (ii) to sub-clause (c) of clause (ii) of Regulation 4 shall be substituted as follows:

(ii) in case, the nomination is not registered by the deceased subscriber before his death, the accumulated pension wealth shall be paid to the family members on the basis of the legal heir certificate issued by the competent authorities of the State concerned or the succession certificate issued by a court of competent jurisdiction.

(IV) Sub-clause (b) of Regulation 5 shall be substituted as follows:

(b) at any time, before attaining the age of sixty years, subject however that at least eighty percent out of the accumulated pension wealth shall be mandatorily utilized for purchase of annuity and the balance of the accumulated pension wealth, after such utilization shall be paid to the subscriber in lump sum or he shall have a choice to collect such remaining pension wealth in accordance with the other options specified by the Authority from time to time, in the interest of the subscribers;

Provided that for a Swavalamban subscriber, the annuity purchased by utilizing the mandatory minimum of eighty percent out of the accumulated pension wealth ought to yield at least a monthly annuity or pension of one thousand rupees per month, failing which the entire accumulated pension wealth shall be annuitised in such a manner so as to yield at least a monthly annuity or pension of one thousand rupees and balance if any thereafter shall be paid as lump sum to the subscriber. However there shall be no implicit or explicit guarantee that the annuity purchased even with entire accumulated pension wealth would yield a monthly annuity or pension of one thousand rupees;

Provided that subject to the provisions of this clause, where the accumulated pension wealth does not exceed one lakh rupees or a limit to be specified by the Authority basing on the instructions issued by the appropriate regulator on the minimum value of annuities to be made available by the life insurers, the whole of the pension wealth up to the limit so specified shall be paid to the subscribers who have not availed any Swavalamban co-contribution, without any requirement of annuitisation and further this provision shall be applicable to a subscriber who has availed a Swavalamban co-contribution only if such subscriber has continued in the scheme for a minimum period of twenty-five years;

Provided further that the migration of Swavalamban subscriber or subscribers to any other pension scheme of Government of India and as approved by the Authority shall not be deemed as an exit and withdrawal for the purposes of these regulations.

(V) Regulation 6 shall be substituted with the following :

6. Conditions to apply for exit and withdrawal.- A subscriber registered under the National Pension System shall not exit there from, and no withdrawal from the accumulated pension wealth in the Tier-1 of the Permanent Retirement Account of such subscriber shall be permitted, except in the manner so specified under regulations 3,4, 5 and 8 and further as mentioned in these provisions, namely:-

(ii) Sub-regulation(e) shall be substituted with the following:

(e) If the subscriber or the family members of the deceased subscriber, upon his death, avails the option of additional relief on death or disability provided by the Government or employer, the Government or employer shall have the right to adjust or seek transfer of the entire accumulated pension wealth of the subscriber to itself. The subscriber or family members of the subscriber availing such benefit shall specifically and unconditionally agree and undertake to transfer the entire accumulated pension wealth to the Government or employer, in lieu of enjoying or obtaining such additional reliefs like family pension or disability pension or any other pensionary benefit from such Government or employer. With the release of such family pension to the eligible family members of the deceased subscriber, the right to claim any benefits under the National Pension System, by any person shall extinguish thereupon including the rights of the nominee as recorded for the purpose of receiving benefits under National Pension System.

(iii) Sub-regulation(h) shall be substituted with the following:

(h) Upon exit of a subscriber from tier-I of the National Pension System, the tier-II account of the subscriber shall also be simultaneously closed and amounts under the said account shall be paid to the subscriber or his nominees or legal heirs as the case may be.

(ii) Under Regulation 6, new sub-regulation(i) after sub-regulation (h) shall be added as follows:

(i) With respect to subscribers who have not submitted the withdrawal application as is required under regulation 7 and within one month from the date of attainment of the age of sixty years or the age of normal superannuation as the case may be, for withdrawal of benefits upon exit from national pension system, the accumulated pension wealth in the account of such subscriber (both under tier I and tier II) would be monetized and kept separately as per the guidelines or directions issued by the Authority for the said purpose. The income earned from such safe keeping of the monetized accumulated pension wealth of the subscriber shall form part of the benefits that the subscriber is entitled under the National Pension System. This provision shall apply in respect of such subscribers who have deferred the withdrawal of benefits or have partly withdrawn the benefits and have not taken the steps to completely withdraw the benefits as is required under the regulations and or in the guidelines or directions issued by the Authority for the purpose.

(iii) Under Regulation 6 new sub-regulation (j) after sub-regulation (i) shall be added as follows:

(j) With respect to settlement of claims arising out of the accumulated pension corpus of deceased subscribers, where no valid nomination as specified in these regulations exist on the date of death, the Authority may issue suitable directions in the interest of subscribers for settlement of such claims in favour of the family members of the deceased subscriber, up to a specified limit, by requiring such heirs to submit such documents as may be specified.

(V) Regulation 7 shall be substituted as follows: -

7. Conditions of withdrawals under National Pension System.- a subscriber shall submit the withdrawal application along with the required documents, for the purpose of withdrawing the benefits upon exit as provided in these regulations, on or before the expected date of exit from the National Pension System to the National Pension System Trust or the central recordkeeping agency, acting on behalf of it or any other entity authorized by the Authority. central recordkeeping agency or National Pension System Trust may on receipt of such an application for exit or withdrawal from a subscriber in the specified form and subject to fulfillment of conditions so specified, may allow exit or withdrawals from the National Pension System in the mode and manner permitted under these regulations and guidelines, circulars, orders or notifications issued by the Authority for the purpose:

(VI) Regulation 8 shall be substituted as follows:-

8. The following withdrawals shall be permitted under National Pension System.- (1) A partial withdrawal of accumulated pension wealth of the subscriber, not exceeding twenty-five per cent. of the contributions made by the subscriber and excluding contributions made by employer, if any, at any time before exit from National Pension System subject to the terms and conditions, purpose, frequency and limits specified below:-

(A) Purpose: A subscriber on the date of submission of the withdrawal form, shall be permitted to withdraw not exceeding twenty-five percent. of the contributions made by such subscriber to his individual pension account, for any of the following purposes only:-

- (a) for Higher education of his or her children including a legally adopted child;
- (b) for the marriage of his or her children, including a legally adopted child;
- (c) for the purchase or construction of a residential house or flat in his or her own name or in a joint name with his or her legally wedded spouse. In case, the subscriber already owns either individually or in the joint name a residential house or flat, other than ancestral property, no withdrawal under these regulations shall be permitted;
- (d) for treatment of specified illnesses: if the subscriber, his legally wedded spouse, children, including a legally adopted child or dependent parents suffer from any specified illness, which shall comprise of hospitalization and treatment in respect of the following diseases:
 - (i) Cancer;
 - (ii) Kidney Failure (End Stage Renal Failure);
 - (iii) Primary Pulmonary Arterial Hypertension;
 - (iv) Multiple Sclerosis;
 - (v) Major Organ Transplant;

- (vi) Coronary Artery Bypass Graft;
- (vii) Aorta Graft Surgery;
- (viii) Heart Valve Surgery;
- (ix) Stroke;
- (x) Myocardial Infarction
- (xi) Coma;
- (xii) Total blindness;
- (xiii) Paralysis;
- (xiv) Accident of serious/ life threatening nature.
- (xv) any other critical illness of a life threatening nature as stipulated in the circulars, guidelines or notifications issued by the Authority from time to time.

(B) Limits: the permitted withdrawal shall be allowed only if the following eligibility criteria and limit for availing the benefit are complied with by the subscriber:-

- (a) the subscriber shall have been in the National Pension System at least for a period of three years from the date of his or her joining;
- (b) the subscriber shall be permitted to withdraw accumulations not exceeding twenty-five per cent of the contributions made by him or her and standing to his or her credit in his or her individual pension account, as on the date of application for withdrawal;

(C) Frequency: the subscriber shall be allowed to withdraw only a maximum of three times during the entire tenure of subscription under the National Pension System. The request for withdrawal shall be submitted by the subscriber, along with relevant documents to the central recordkeeping agency or the National Pension System Trust, as may be specified, for processing of such withdrawal claim through their nodal office. Provided that where a subscriber is suffering from any illness, specified in sub-clause (d), the request for withdrawal may be submitted, through any family member of such subscriber.

(2) A subscriber having a valid and active Tier-II account of the Permanent Retirement Account can withdraw the accumulated wealth either in full or part, at any time by applying for such withdrawal, on such application form and in such mode and manner, as may be specified by the Authority in this behalf. There shall be no limit on such withdrawals till the account has sufficient amount of accumulated pension wealth to take care of the applicable charges and the withdrawal amount.

Provided that the Tier-II account shall stand automatically closed at the time of exit of the subscriber from the National Pension System, even if an application so specified for the purpose has not been received from the subscriber, and the accumulated wealth in such account shall be transferred to the bank account provided by the subscriber, while submitting his application for exit from the National Pension System.

(VII) Regulation 9 shall be substituted as follows:—

9. Withdrawal process.- (1) The National Pension System Trust or any other intermediary or entity authorized by the Authority for the said purpose shall be responsible for processing, authorizing and approving the withdrawal and exit claims lodged by the subscriber in accordance with the provisions of the Act, regulations, directions, guidelines issued by the Authority and the Pension Fund Regulatory and Development Authority (National Pension System Trust) Regulations, 2015, where applicable. The National Pension System Trust shall frame and issue suitable operational processes including online processes or guidelines including the exit or withdrawal forms for facilitating withdrawals and Exit of subscribers from National Pension System after taking due approval from the Authority.

(VIII) Sub -regulation (1) of Regulation 10 shall be substituted as follows:—

10. Conditions of annuity purchase upon exit.- (1) The subscriber, at the time of exit, shall mandatorily purchase an annuity providing for a monthly or periodical annuity or pension as specified in these regulations, excepting those cases where exempted or provided otherwise and to the extent so exempted. Such annuity shall be purchased from an annuity service provider who is empanelled by the Authority.

(IX) In regulation 32, in the proviso, the following a new sub-clause (xii) shall be added after sub-clause (xi) -

(xii). In respect of subscribers covered under sub-clause(c) of Regulation 3 and sub-clause(c) of Regulation 4, where no valid nomination exists in accordance with these regulations, at the time of exit of such subscriber on account of death, the nomination, if any existing in the records of such subscriber with his or her employer for the purpose of receiving other admissible terminal benefits shall be treated as nomination exercised for the purposes of receiving benefits under the National Pension System. The employer shall send a confirmation of such nomination in its records, to the National Pension System Trust or the central recordkeeping agency, while forwarding the claim for processing.

(X) Regulations 33 and 34 shall be omitted

(XI) Regulation 35 shall be substituted as follows:-

35. Providing bank account details.- A subscriber seeking benefits upon exit or withdrawals as permitted under these regulations shall provide the Bank details mandatorily apart from details or copy of Aadhar card issued by Unique Identification Authority of India or details of or copy of Permanent Account Number (PAN) card issued by Income-Tax Department, in order to have the facility of credit of the eligible benefits directly in to the subscriber's or claimants Bank account as applicable.

(XII) Regulation 37 shall be substituted as follows: -

37. Stoppage of last month's deductions by employer.-The monthly contribution consisting of both the employer and employee, as may be applicable and that is required to be deducted for crediting to the subscribers account under the National Pension System by the employers from the salary of such subscriber shall be stopped at least one month prior to the date of superannuation. The employer shall pay such eligible contributions directly to the employee subscriber along with the monthly salary or remuneration that such subscriber is eligible to receive from the employer.

(XIII) Regulation 39 shall be substituted as follows: -

39. Power of the Authority to issue directions and clarifications.- (1) The Authority shall have the power to issue necessary directions, restricting the provisions relating to withdrawals and exit, as the case may be, under these regulations for complying with any requirements to move from any other pension or superannuation schemes or funds to the National Pension System.

(2) The Authority shall also have the power to issue clarifications and guidelines in order to remove any difficulties in the application or interpretation of these regulations or any provision thereof.

HEMANT G. CONTRACTOR, Chairperson

[ADVT.-III/4/Exty./179/17]

Footnote:

The Pension Fund Regulatory and Development Authority (Exits and Withdrawals Under the National Pension System) Regulations, 2015 were published in the Gazette of India on 11th May, 2015 vide No. PFRDA/12/RGL/139/8.

पेंशन निधि विनियामक और
विकास प्राधिकरण
बी-14/ए, छत्रपति शिवाजी भवन
कुतुब इन्स्टीट्यूशनल एरिया कटवारीया सारा,
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दूरभाष 011-26523165
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वेंकटेश्वरलु पेरी
महाप्रबन्धक
Venkateswarlu Peri
General Manager

F. No. PFRDA/24/Exit/1

May 26, 2016

Shri Amit Sinha
Executive Vice President,
NSDL e-Governance Infrastructure Limited,
1st Floor, Times Tower,
Kamla Mills Compound,
Senapati Bapat Marg, Lower Parel,
Mumbai - 400013

Subject: Guidelines for processing of Family Pension Cases.

Dear Mr Sinha,

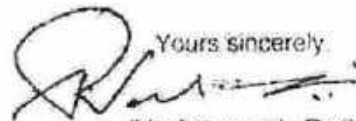
This has with reference to regulation 6(e) of the PFRDA (Exit and Withdrawals under NPS) Regulation 2015 relating to family pension and transfer of corpus from subscribers NPS account to government nodal office, if the subscriber or the family members of the deceased subscriber avails the benefit of family pension.

The Authority after examining the issue has finalized the policy with respect to transfer of accumulated pension wealth of the subscribers to government and where the subscribers family has availed the additional relief given by the government in the family of family pension. Accordingly, the guidelines for processing of such claims are being enclosed herewith for your guidance and implementation of the same.

Therefore, you are advised to intimate to all the accounting formations under the central government, state governments (excluding the states which have clarified that they do not provide the benefit including Punjab & Sikkim) and autonomous bodies falling under their jurisdiction about the policy guidelines and also the process to be followed.

The same shall be made part of the online exit module. In case if you want any clarifications on the matter you may write back to us.

Yours sincerely,



(Venkateswarlu Peri)
General Manager

Enclosure a/a

CC
Shri Kamal Chaudary
Chief Executive Officer,
National Pension System Trust,
3rd Floor, Chhatrapati Shivaji Bhawan
B-14/A, Qutab Institutional Area
New Delhi - 110 016

PFRDA
EXIT
Instruction
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8. In cases where, on discharge/death of the employee, the amount of accumulated funds in the NPS Account have been paid to the employee/family of the employee, the amount of monthly-annuitised pension from the date of discharge/death will be worked out in accordance with the rules/regulations to be notified by the Department of Financial Services/PFRDA and the same will be adjusted against the payment of benefits/relief after the notified rules in this respect are in place.

9. These instructions will be applicable to those Government servants who joined Government service on or after 1.1.2004 and will take effect from the same date i.e. 1.1.2004.

10. This Order issues with the concurrence of Ministry of Finance (Department of Expenditure) vide their U.O. No. 127/EV/2009 dated 13.4.2009.



(M.P. Singh)
Director

1. All Ministries/ Departments of Government of India
2. As per standard mailing list