

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB - SECTION (i)]

Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and Pensioners' Welfare

NOTIFICATION

New Delhi, the 4th January, 2019.

G.S.R..... (E). – In exercise of the powers conferred by the proviso to article 309 read with 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 further to amend the Central Civil Services (Pension) Rules, 1972, namely:-

1. Short Title and Commencement:-

(1) These rules may be called the Central Civil Services (Pension) Amendment Rules, 2018.

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

2. In the Central Civil Services (Pension) Rules, 1972 -

(i) in rule 38, for sub-rule (1) and sub-rule (2), the following sub-rules shall respectively be substituted, namely : -

“(1) The case of a Government servant 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 employee shall produce a disability certificate from the competent authority as prescribed under the Rights of Persons with Disabilities Rules, 2017.

(2) If a Government servant, in a case where the provisions 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 invalid pension in accordance with rule 49:

Provided that a Government servant, who retires from service on account of any bodily or mental infirmity which permanently incapacitates him for the service before completing qualifying service of ten years, may also be granted invalid pension in

accordance with sub- rule (2) of rule 49 subject to the conditions that the Government servant-

- (a) *has been examined by the appropriate medical authority either before his appointment or after his appointment to the Government service and declared fit by such medical authority for Government service; and*
- (b) *fulfils all other conditions mentioned in this rule for grant of invalid pension.*”;

(ii) in rule 49, for sub-rule (2), the following sub-rule shall be substituted, namely: -

“(2) Subject to the proviso to sub-rule (2) of rule 38, in the case of a Government servant retiring in accordance with the provisions of these rules after completing qualifying service of not less than ten years, the amount of pension shall be calculated at fifty per cent of emoluments or average emoluments, whichever is more beneficial to him, subject to a minimum of nine thousand rupees per mensem and maximum of one lakh twenty five thousand rupees per mensem.”.

[F.No. 21/1/ 2016-P&PW (F)]



(Sanjiv Narain Mathur)

Joint Secretary to the Government of India

Note:- The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) *vide* number S.O.934, dated the 1st April, 1972 and the Fourth Edition of the rules corrected up to July, 1988 was published in the year of 1988. The said rules were subsequently amended *vide* the following notifications, namely:-

1. S.O.254, dated the 4th February, 1989;
2. S.O.970, dated the 6th May, 1989;
3. S.O.2467, dated the 7th October, 1989
4. S.O.899, dated the 14th April, 1990
5. S.O.1454, dated the 26th May, 1990
6. S.O.2329, dated the 8th September, 1990;
7. S.O.3269, dated the 8th December, 1990
8. S.O.3270, dated the 8th December, 1990
9. S.O.3273, dated the 8th December, 1990
10. S.O.409, dated the 9th February, 1991
11. S.O.464, dated the 16th February, 1991
12. S.O.2287, dated the 7th September, 1991;
13. S.O.2740, dated the 2nd November, 1991
14. G.S.R. 677, dated the 7th December, 1991
15. G.S.R. 39, dated the 1st February, 1992
16. G.S.R. 55, dated the 15th February, 1992

17. G.S.R. 570, dated the 19th December, 1992;
18. S.O.258, dated the 13th February, 1993
19. S.O.1673, dated the 7th August, 1993
20. G.S.R. 449, dated the 11 th September, 1993
21. S.O.1984, dated the 25th September, 1993
22. G.S.R. 389(E), dated the 18th April, 1994
23. S.O.1775, dated the 19th July, 1997
24. S.O.259, dated the 30th January, 1999
25. S.O.904(E), dated the 30th September, 2000;
26. S.O.717(E), dated the 27th July, 2001
27. G.S.R. 75(E), dated the 1st February, 2002
28. S.O.4000, dated the 28th December, 2002
29. S.O. 860(E), dated the 28th July, 2003
30. S.O. 1483 (E), dated the 30th December, 2003.
31. S.O. 1487 (E), dated the 14th October, 2005
32. G.S.R. 723(E), dated the 23rd November, 2006;
33. S.O. 1821 (E), dated the 25th October, 2007
34. G.S.R. 258 (E), dated the 31st March, 2008
35. S.O. 1028 (E), dated the 25th April, 2008
36. S.O. 829(E), dated the 12th April, 2010
37. G.S.R. 176, dated the 11th June, 2011
38. G.S.R. 928 (E), dated the 26th December, 2012;
39. G.S.R. 938 (E), dated the 27th December, 2012
40. G.S.R. 103 (E), dated the 21st February, 2014
41. G.S.R. 138 (E), dated the 3rd March, 2014
42. G.S.R. 233 (E), dated the 28th March, 2014;
43. G.S.R. 628(E), dated the 1st September, 2014
44. G.S.R. 232(E) dated the 30th March, 2015; and
45. G.S.R. 962(E) dated the 30th September, 2016.