



# INVALID PENSION

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## Rule 38 of CCS (Pension) Rules, 1972

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## 1. Invalid Pension

In a case when any disease or injury **NOT ATTRIBUTABLE / NOT AGGRAVATED** to government duty causes any bodily or mental infirmity which permanently incapacitates him/her for the service, **Invalid Pension** may be granted if a Government servant applies for retirement from the service.

The request for invalid pension has to be supported by medical report from the competent medical board.

### **Attributable to Government Service:**

When any injury was caused during the performance of government duty, it is called Attributable to Government Service.

e.g. a government servant while performing his/her duty suffered an accident and got injured.

### **Aggravated to Government Service:**

When any disease was caused during the performance of government duty, it is called Aggravated to Government Service.

e.g. a government servant while performing his/her duty on high altitude areas suffered from asthma.

## **2. Disability Pension**

In a case when any disease or injury **ATTRIBUTABLE/AGGRAVATED** to government duty causes any bodily or mental infirmity which permanently incapacitates him/her for the service, **Disability Pension** may be granted.

### **3. Eligibility criteria for Invalid Pension**

**Rule 38 of CCS (Pension) Rules, 1972 have the provisions for Invalid pension.**

#### **SUB RULE (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.

#### **SUB RULE (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 10 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) fulfills all other conditions mentioned in this rule for grant of invalid pension.

**Ref.: O.M. No. 21/01/2016-P&PW(F) dated 12/02/2019**

## **4. Calculation of Invalid Pension**

In accordance with **Rule 49** of CCS (Pension) Rules, 1972 Invalid Pension is calculated at the rate of **50% of emoluments** or average emoluments, whichever is more beneficial.

**Emoluments = Basic Pay + DA**

## 5. Minimum & Maximum Amount of Invalid Pension

In accordance with **Rule 49** of CCS (Pension) Rules, 1972:

**Minimum** Amount of Invalid Pension = Rs. **9,000/-** per month

**Maximum** Amount of Invalid Pension = Rs. **1,25,000/-** per month

Note: DA is not included in above minimum and maximum limits.

## 6. Medical Certificate for Invalid Pension

Government employee shall produce a disability certificate from the competent authority as prescribed under the Rights of Persons with Disabilities Rules, 2017.

**Rule 17** of Rights of Persons with Disabilities Rules, 2017 elaborates the procedure about the **application for Certificate**.

**Rule 18** of Rights of Persons with Disabilities Rules, 2017 elaborates the procedure about the **issuance for Certificate**.

## **RULE 17: APPLICATION FOR CERTIFICATE OF DISABILITY**

- (1)** Any person with specified disability may apply in **Form-IV** for a certificate of disability and submit the application to:
  - (a) the medical authority in the district of residence of the applicant as mentioned in the proof of residence in the application; or
  - (b) the concerned medical authority in a government hospital where he may be undergoing or may have undergone treatment in connection with his disability.
  
- (2)** The application shall be accompanied by -
  - (a) proof of residence;
  - (b) two recent passport size photographs; and
  - (c) AADHAAR Number or Aadhaar Enrollment Number, if any.

## **RULE 18:    ISSUE OF CERTIFICATE OF DISABILITY**

- (1)** On receipt of an application under rule 17, the medical authority issues a certificate of disability in **Form V, VI** and **VII**, as the case may be.
  
- (2)** The medical authority shall issue the certificate of disability **within a month** from the date of receipt of the application.