PCPO's Serial No. 105/2024

Eastern Railway

Personnel Department

No. E.787/0/PEN/Pt.XXX

Kolkata, dated 06.09.2024

ALL CONCERNED
As per Standard list

Sub: Clarification regarding grant of invalid pension under Rule 55 of the Railway Services (Pension) Rules, 1993

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A copy of Railway Board's letter No. D-5/2019-F(E)III dated 04.09.2024 (RBE No. 86/2024) alongwith a copy of Department of Pension & Pensioners' Welfare (DOP&PW) O.M. No. 21/10/2016-P&PW(F) dated 12.02.2019 on the above subject matter is sent herewith for information, guidance and necessary action.

Board's earlier notification vide G.S.R. 486(E) dated 30.07.2024 regarding amendment of Rule 55 and Rule 69 of Railway Services (Pension) Rules, 1993 as mentioned therein was circulated under this office Sl. No. 92/2024.

DA: As above

06/09/24

(K.C. Das)
Dy. Ch. Personnel Officer (NG)
fr. Pr. Chief Personnel Officer

Index No. 1058: Invalid Pension at the rate of 50% of emoluments or average emoluments, whichever is more beneficial, subject to a minimum of nine thousand rupees per mensem and maximum of one lakh twenty five thousand rupees per mensem, shall be payable to a Railway employee who retires under Rule 55 of Railway Services (Pension) Rules, 1993 before completing a qualifying service of ten years .

RBE No. 86 /2024.

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.D-5/2019-F(E)III **New Delhi, dated: 04 .09.2024.**

The General Managers/Principal Financial Advisors,
All Zonal Railways/Production Units etc,
DGs of RDSO and NAIR.

Subject:- Clarification regarding grant of Invalid pension under Rule 55 of the Railway Services (Pension) Rules,1993.

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A copy of Department of Pension & Pensioners' Welfare (DoP&PW)'s O.M. No. 21/01/2016-P&PW(F) dated 12th February, 2019 is enclosed for information and guidance. These instructions shall apply *mutatis mutandis* on the Railways also.

2. Rule 38 and Rule 49 of the Central Civil Service (Pension) Rules, 1972 correspond to Rule 55 and Rule 69 of the Railway Services (Pension) Rules, 1993, respectively. Rule 55 and 69 of the Railway Services (Pension) Rules, 1993 have been amended vide G.S.R.486(E) dated 30th July, 2024.

3. Please acknowledge receipt.

G. Priya Sudarsani

(G. Priya Sudarsani),
Director, Finance (Estt.),
Railway Board.

No. D-5/2019-F(E)III **New Delhi, Dated: 04 .09.2024.**

Copy to:

Deputy Comptroller and Auditor General of India (Railways), Room No. 222, Rail Bhawan, New Delhi.

G. Priya Sudarsani

For Member Finance, Railway Board

No. D-5/2019-F(E)III **New Delhi, Dated: 04.09.2024.**

Copy to:-

1. The General Secretary, AIRF, Room No. 253, Rail Bhawan, New Delhi.
2. The General Secretary, NFIR, Room No. 256-E, Rail Bhawan, New Delhi.
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-C, Feroz Shah Road, New Delhi.
4. The Secretary General, FROA, Room No. 256-A, Rail Bhawan, New Delhi.
5. The Secretary General, IRPOF, Room No. 268, Rail Bhawan, New Delhi.
6. The Secretary, RBSS, Group 'A' Officers Association, Rail Bhawan.
7. The Secretary, RBSS, Group 'B' Officers Association.
8. The General Secretary, RBSSSA, Room No. 451-A, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association.
10. The Secretary, Railway Board Class IV staff Association.
11. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhawan, New Delhi
12. The General Secretary, All India O.B.C. Railway Employees Federation (AIOBCREF), Room No.48, Rail Bhawan.

04.9.24

For Principal Executive Director (IR), Railway Board.

No. D-5/2019-F(E)III **New Delhi, Dated: 04.09.2024.**

Copy to:-

Adv. to MR, EDPG to MR, OSD to MR, OSD (Co-ord) to MR,
PS to MoSR(D), EDPG to MoSR(D), PS to MoSR(J), EDPG to MoSR(J), DPG to MoSR(J).

PSOs/Sr.PPSs/PPSs to CRB, MF, M/O&BD, M/Infra, M/TRS.

DG/HR, DG/Safety, DG(RHS), DG(RPF).

All Addl. Members, PEDs, All EDs, JSs.

Pay & Accounts Officer, M/o Railways (Railway Board)

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(Copy to Department of Pension & Pensioners' Welfare (DoP&PW) w.r.t. their O.M. No. 21/01/2016-P&PW(F) dated 12th February, 2019)

No. 21 /01/2016-P&PW(F)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Pension & Pensioners' Welfare)

New Delhi, the 12th February, 2019

OFFICE MEMORANDUM

Sub :- Grant of Invalid Pension under Rule 38 of the Central Civil Services (Pension) Rules, 1972 – Clarification regarding

The undersigned is directed to say that Rule 38 and Rule 49 of the Central Civil Services (Pension) Rules, 1972 have been amended vide Notification No. 21/1/2016-P&PW(F) dated 4th January, 2019 (copy enclosed). The proviso to the amended Rule 38 of the CCS(Pension) Rules provides 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) was examined by the appropriate medical authority either before his appointment or after his appointment to the service or post and was declared fit by that authority for Government service, and

(b) fulfils all other conditions mentioned in this rule for grant of invalid pension.

2. In this connection, it is clarified that the condition of qualifying service of ten years for grant of pension under Rule 49(2) of the CCS (Pension) Rules, 1972 shall not be applicable in the case of a Government servant retiring on Invalid Pension on account of any bodily or mental infirmity, under Rule 38. Accordingly, Invalid Pension at the rate of 50% of emoluments or average emoluments, whichever is more beneficial, subject to a minimum of nine thousand rupees per mensem and maximum of one lakh twenty five thousand rupees per mensem, shall be payable to a Government servant who retires under Rule 38 of CCS (Pension) Rules, 1972 even before completing a qualifying service of ten years.

3. All Ministries/Departments are requested that the above clarification may be brought to the notice of Heads of Department, Attached and Subordinate Offices, Controllers of Accounts, Pay & Accounts Offices, etc. under them.

4. Hindi version will follow.

(Harjit Singh)
Director

To

All Ministries/Departments of the Government of India

Copy to :Technical Director, NIC, Department of Pension & PW with the request that the above OM may be uploaded on the website of the Department.