

Eastern Railway

No.E.787/0/Pen/Pt-XXV.

Kolkata, dated 16.04.2013.

ALL CONCERNED

Sub:- (i) Eligibility of disabled children for family pension after marriage and

(ii) Eligibility of two family pensions- Clarification regarding

Copy of Railway Board's letter No. F(E)III/2005/PN1/32 dated 11.02.2013 (RBE. No.12/2013) along with a copy of DOP&PW's O.M. No. 1/33/2012-P&PW(E) dated 16.01.2013 on the above subject is sent herewith for information, guidance and necessary action.

DA: As above.

D.P. 16.4.13
(Md. Tarique)
Asstt. Personnel Officer/HQ
For Chief Personnel Officer

INDEX No.1058:- Clarification regarding - Eligibility of disabled children for family pension after marriage and eligibility of two family pensions.

Copy of Board's letter No. F(E)III/2005/PN1/32 dated 11.02.2013 (RBE. No.12/2013) along with a copy of DOP&PW's O.M. No. 1/33/2012-P&PW(E) dated 16.01.2013 addressed to G.M.s/ FA&CAOs, All Indian Railways /Production Units and copy to others is circulated herewith.

Sub:- (i) Eligibility of disabled children for family pension after marriage and

(ii) Eligibility of two family pensions- Clarification regarding

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M.No. 1/33/2012-P&PW(E) dated 16.01.2013 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Sub-rules 6, 13-A and 13-B of Rule 54 of the CCS(Pension) Rules,1972 referred to therein correspond to sub-rules 6,17 and 18 Rule 75 of the Railway Services (Pension) Rules, 1993 respectively.

2. The Explanation 1&3 mentioned in DOP&PW's O.M. referred above are contained in the amendment being carried out in the Railway Services (Pension) Rules, 1993 in consultation with the Ministry of Law & Justice.

3. Please acknowledge receipt.

DA: - One.

Sd/-
(SUKHENDER KAUR)
Joint Director Finance (Estt.),
Railway Board.

Contd....2/-

No.1/33/2012-P&PW (E)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi
Dated: 16th January, 2013

Office Memorandum

- Sub: (i) Eligibility of disabled children for family pension after marriage and
(ii) Eligibility for two family pensions- clarification regarding.

The undersigned is directed to state that the Government has decided to allow continuance of family pension to mentally/physically disabled children who drew, are drawing or may draw family pension even after their marriage. Further, the Government has also decided to allow two family pensions where the pensioner drew, is drawing or may draw two pensions for military and/or civil employments.

2. In order to implement these decisions, Explanations 1 and 3 after sub-rule 6 of Rule 54 of the Central Civil Services (Pension) Rules, 1972 have been suitably amended and sub-rules 13-A and 13-B have been omitted. A copy of Gazette notification, G.S.R. No. 938 (E), dated 27th December, 2012, giving effect to these amendments is enclosed.

3. For the sake of clarity, the old and new explanations 1 and 3 are reproduced as under highlighting the changes made therein:

Old: EXPLANATION 1 - An unmarried son or an unmarried or widowed or divorced daughter shall become ineligible for family pension under this sub-rule from the date he or she gets married or remarried.

EXPLANATION 3 - It shall be the duty of son or daughter or siblings or the guardian to furnish a certificate to the Treasury or Bank, as the case may be, once in a year that (i) he or she has not started earning his or her livelihood and (ii) he or she has not yet married or remarried. A similar certificate shall be furnished by a childless widow after her re-marriage or parents to the Treasury or Bank, as the case may be, once in a year that she or he or they have not started earning her or his or their livelihood.

New: EXPLANATION 1 - An unmarried son or an unmarried or widowed or divorced daughter, except a disabled son or daughter, shall become ineligible for family pension under this sub-rule from the date he or she gets married or remarried.

EXPLANATION 3 - It shall be the duty of son or daughter or siblings or the guardian to furnish a certificate to the Treasury or Bank, as the case may be, once in a year that (i) he or she has not started earning his or her livelihood and (ii) he or she has not yet married or remarried. A similar certificate shall be furnished by a childless widow after her re-marriage or by the disabled son or daughter or parents to the Treasury or Bank, as the case may be, once in a year that she or he or they have not started earning her or his or their livelihood.

4. Sub rule 13-A regulates the grant of family pension to a military pensioner after his re-employment in a civil service or a civil post. Grant of two family pensions had been prohibited under this sub rule. Similarly, sub rule 13-B prohibits grant of two family

pensions to a person who is already in receipt of Family Pension or is eligible therefor under any other rules of the Central Government or a State Government and/or Public Sector Undertaking/Autonomous Body/Local Fund under the Central or a State Government. The sub-rules 13-A and 13-B have since been omitted vide the above mentioned Gazette notification.

5. It is clarified that financial benefits in past cases will accrue with effect from 24th September, 2012.

6. As regards pensioners/family pensioners belonging to the Indian Audit and Accounts Departments, these Orders issue after consultation with the Comptroller and Auditor General of India.

Choudhury

(Sujasha Choudhury)
Deputy Secretary to the Govt. of India
Tel. No. 24635979

All Ministries/Departments of the Government of India
O/o The Comptroller & Auditor General of India
O/o The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.