

Eastern Railway

CPO's Serial No. 132 /2013.

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

Kolkata, dated 05.12.2013.

ALL CONCERNED

Sub:- Simplification of pension process for permanently disabled children/siblings and dependent parents-instructions-regarding.

Copy of Railway Board's letter No.2013/AC-II/21/5 dated 25.11.2013 (RBA. No.26/2013) along with DOP&PW's O.M. No. 1/27/2011-P&PW(E) dated 01.07.2013 on the above subject is sent herewith for information, guidance and necessary action. DOP&PW's earlier letters as referenced to therein had been circulated vide CPO's S.L.No 65/2012, 91/2010, & 52/95 respectively.

DA: As above.

(S.K. Chattopadhyay)
Asstt. Personnel Officer/HQ
For Chief Personnel Officer

INDEX No.1058:- Clarification regarding advance approval of family pension in favour of permanently disabled children/siblings and dependent parents.

Copy of Railway Board's letter No.2013/AC-II/21/5 dated 25.11.2013 (RBA. No.26/2013) and letter no. 2010/AC-II/21/2 16.05.2012 (RBA No. 13/2012) addressed to General Managers/ FA&CAOs / CPOs, All Indian Railways /Production Units and copy to others are circulated herewith.

Sub:- Simplification of pension process for permanently disabled children/siblings and dependent parents-instructions-regarding.

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 1/27/2011-P&PW (E) dated 01.07.2013 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Necessary action may be taken accordingly.

Please acknowledge receipt and ensure compliance.

DA: As above.

(Shilpi Agarwal)
Director Finance/CCA
Railway Board.

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No. 1/27/2011-P&PW (E)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi
Dated: 1st July, 2013.

OFFICE MEMORANDUM

01

Sub: Simplification of pension process for permanently disabled children/siblings and dependent parents – instructions regarding. This Department's O.M. No.1/19/11-P&PW (E), dated 3.8.2011, O.M. No.1/6/2008-P&PW (E), dated 22.6.2010 and O.M. No.1/21/91-P&PW (E), dated 20.1.93 refer.

The undersigned is directed to state that a number of representations are being received in the Department of Pension & Pensioners' Welfare about the difficulties being faced in getting the revised Pension Payment Orders (PPOs) issued for old parents and disabled children/siblings after the death of the pensioner/family pensioner.

2. The matter has been examined and it has been decided that the employee/pensioner/family pensioner may, at any time before or after retirement/death of employee, make a request to the Appointing Authority seeking advance approval for grant of family pension for life to a permanently disabled child/sibling in terms of provisions contained in rule 54 of the CCS (Pension) Rules, 1972, which are reproduced as under:

Proviso (iv) to sub-rule 6 (iv): before allowing the family pension for life to any such son or daughter, the appointing authority shall satisfy that the handicap is of such a nature so as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of mental or physical disability including mental retardation setting out, as far as possible, the exact mental or physical condition of the child;

Sub rule 10 (B): Family pension to the dependent disabled siblings shall be payable if the siblings were wholly dependent upon the Govt. servant immediately before his or her death and deceased Govt. servant is not survived by a widow or an eligible child or eligible parents.

3. In terms of sub-rule (10-A) (reproduced below) a request for advance approval to the grant of family pension to the parents may be made to the Head of Office.

Sub rule 10 A (a): Family pension to the parents shall be payable if the parents were wholly dependent on the Govt. servant immediately before his or her death and the deceased Govt. servant is not survived by a widow or an eligible child.

(b): The family pension, wherever admissible to parents, will be payable to the mother of the deceased Govt. servant failing which to the father of the deceased Govt. servant.

4. On acceptance of such a request, the Head of Office (HOO) will immediately issue a sanction order for grant of family pension to such children/siblings/dependent

Contd.-3.

parents on their turn. No further authorisation for grant of family pension to the disabled child/sibling/ dependent parents would be required. The HOO and Pay and Accounts Officer (PAO) will maintain the details of such disabled children/siblings/dependent parents in the service book and pension file of the employee/pensioner to enable prompt processing of such requests. On the basis of this approval, the permanently disabled child/sibling/ dependent parents will be authorised to receive family pension at the appropriate time, i.e., after the death of pensioner and/or after the death/ineligibility of any other member in the family eligible to receive family pension prior to the disabled child/sibling/ dependent parents, as explained in the succeeding paragraphs.

5. The name(s) of permanently disabled child/children/siblings and/or dependent parents may be added to the PPO issued to the retiring Government servant if there is no other eligible prior claimant for family pension other than the spouse. No fresh PPO need to be issued in such cases and the family pension will be payable by the pension disbursing authority in the following order and the following manner:

- (i) To the spouse – on the death of the pensioner - on production of death certificate of pensioner. This family pension will continue till death or remarriage of spouse. In the case of a childless widow, the family pension may continue even after her re-marriage as per rules.
- (ii) To the permanently disabled child/children – on the death/remarriage of spouse – on production of such death certificate/remarriage-intimation. Family pension to the spouse will be discontinued and family pension would be allowed by the PDA for life for permanently disabled children in the order prescribed in Rule 54 of the CCS (Pension) Rules, 1972.
- (iii) To the dependent parents – first mother, then father - when claimants in (i) and (ii) die or become ineligible – on production of death certificate/remarriage-intimation of spouse and/or death certificates of all permanently disabled children, family pension would be allowed by the PDA to dependent parents. This family pension would continue till death of the dependent parents.
- (iv) To the permanently disabled sibling/s – when family pension to all above ceases to be payable on account of death/re-marriage – on production of death certificates/ remarriage-intimation as applicable, the family pension will be allowed by PDA to the permanently disabled siblings.

6. For all other cases where there are other eligible prior claimants to family pension in accordance with rule 54 of CCS (Pension) Rules, 1972, the names of disabled child/children/dependent parents/permanently disabled sibling will be added to the PPO issued to the preceding eligible family pensioner, based on the authorisation made as in para 3 above. Family pension to these permanently disabled child/children/siblings /dependent parents will be payable after the death/ineligibility of the prior claimant, as the case maybe.

7. The authorisation as indicated above shall be made in the PPO or by issuing a revised authority if a child, parents or sibling is authorised for family pension after issue of the PPO. The revised authority shall take the usual route to the pension disbursing authority. The Pension Disbursing Authority shall start disbursing family pension to the permanently disabled child/sibling or dependent parents after the death of the pensioner/spouse/other family pensioner, as the case may be, on the basis of the PPO/revised PPO, approval of the appointing authority and the death certificate(s) of the pensioner and other family pensioners and the self-certificate for income.

8. Such an authorisation shall become invalid in case a person becomes member of family after issue/amendment of such PPO and is entitled to family pension prior to the disabled child/sibling/dependent parents at the time of the death of the pensioner/spouse. For example, the pensioner may marry/remarry after the death of first spouse or adopt a child. Such spouse/child may be eligible for family pension at the time of death of the pensioner or death/ineligibility of the spouse. A child adopted by the spouse of the pensioner shall not be treated as a member of the family of the deceased pensioner. A decision regarding grant of family pension in such cases will be taken by the Head of Office in accordance with the provisions of rule 54 of the CCS (Pension) Rules, 1972.

9. In order to facilitate the Bank Authorities to promptly sanction the family pension in such cases, the Govt. Employees/pensioners/their spouses may open a bank account of such children/siblings/parents and indicate this information to the Head of Office for inclusion in the PPO/revised authority.

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

All Ministries/Departments of the Government of India

Choudhury
(Sujasha Choudhury)
Deputy Secretary

Copy to:-

1. O/o CGA, 7th Floor, Lok Nayak Bhavan, New Delhi. (Apart from the usual action, it is also requested to make necessary amendments in the format of the PPO to accommodate authorisation of the permanently disabled children/siblings and dependent parents.)

2. CPAO, Trikot-II, Bhikaji Kama Place, New Delhi-66 (It is requested to make necessary amendments in the Scheme Booklet to facilitate implementation of the above decisions).

3. National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, 16-B, Bada Bazar Road, Old Rajinder Nagar, New Delhi-110060 (w.r.t DO No. 1/67/NAT/2012, dated 6th March, 2013).

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