

Eastern Railway

No. E.787/O/PEN/Pt.XXIX.

Kolkata, dated 06.03.2019.

ALL CONCERNED

Sub:- Clarificatory OM for payment of two family pensions on death attributable to Govt. service of a re-employed pensioner-reg.

Copy of Railway Board's letter No. F(E)III/2005/PN1/32 dated 21.02.2019(RBA No.31/2019) along with DOP&PW's O.M. No. 1/3/2016-P&PW(F) dated 24.01.2019 on the above subject is sent herewith for information, guidance and necessary action. Board's earlier letters as referred to therein had been circulated vide CPO's S.L.No.40/2014.

DA: As above.


(S.K.Chattopadhyay)

Sr. Personnel Officer (HQ)
For Pr.Chief Personnel Officer

INDEX NO. 1058: Clarification regarding payment of two family pensions on death attributable to Govt. service of a re-employed pensioner.

Copy of Railway Board's letter No F(E)III/2005/PN1/32 dated 21.02.2019(RBA No.31/2019) along with DOP&PW's O.M. No. 1/3/2016-P&PW(F) dated 24.01.2019 addressed to GMs/PFAs ,All Zonal Railways/Production Units and others is circulated herewith.

Sub:- Clarificatory OM for payment of two family pensions on death attributable to Govt. service of a re-employed pensioner-reg.

A copy of Department of Pension & Pensioners' Welfare (DoP&PW's) OM No. 1/3/2016-P&PW(F) dated 24.01.2019 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways. Sub-rule 13A and 13 B of rule 54 of CCS(Pension)Rules,1972 referred to therein correspond to sub- rules 17 and 18 of Rule 75 of the Railway services)Pension) Rules, 1993 respectively. Rule 17 & 18 of Rule 75 of Railway services)Pension) Rules, 1993 were omitted vide Railway Board's letter No. 2011/F(E)III/1(1)9, dated 23.09.13. DOP&PW's O.M. No. 1/33/2012-P&PW(E) dated 16.01.2013, mentioned in the OM has been circulated on Railways vide Board's letter of even number dated 11.02.2013.

2. Please acknowledge receipt.

D.A.:- As above.

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

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No. 1/3/2016-P&PW(F)
Government of India
Department of Pension and Pensioners' Welfare
(Desk-F)

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi,
Dated the 24th January, 2019.

OFFICE MEMORANDUM

Subject: Clarificatory OM for payment of two family pensions on death attributable to Govt. service of a re-employed pensioner – regarding.

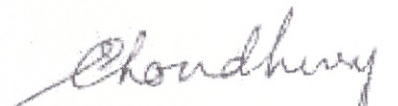
The undersigned is directed to say that references have been received in this Department seeking clarification as to whether a second family pension is admissible under CCS(EOP)Rules when a military/civil pensioner is re-employed in civil service dies and his death is attributable to Government service.

2. Vide this Department's Notification No. G.S.R. 938(E) dated 27.12.2012, sub-rule 13A and 13B of Rule 54, prohibiting two family pension, have been deleted. Subsequently, vide OM No. 1/33/2012-P&PW(E) dated 16.1.2013, two family pensions have been allowed in the event of death of a re-employed pensioner, in service or after retirement. The financial benefits for the past cases however is with effect from 24th September, 2012. Thus under CCS(Pension) Rules, two family pensions are admissible with effect from 24th September 2012.

3. The matter has been examined in the context of the provisions of CCS(Extra-ordinary Pension)Rules. It is clarified that the provisions of two family pensions, one in respect of military/civil service and the other for civil service after re-employment, as available in terms of CCS(Pension) Rules, is also applicable under CCS(EOP)Rules. In other words, on death of a pensioner who was re-employed in civil service, where death is attributable to government service, family pension under CCS(EOP)Rules in respect of service in re-employment would be admissible in addition to ordinary family pension in respect of the previous military/civil service.

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- 4 Where, however, on death of a re-employed civil Government servant, the family is eligible for Special/extra-ordinary family pension under the EOP rules in respect of the first spell of service, family pension for the second spell of service would be admissible under the CCS(Pension) Rules, 1972 only.
5. The extra-ordinary family pension shall be granted only in one service. In no case, both the family pension shall be granted under EOP Rules.
- 6 The financial benefits in the past cases will accrue with effect from 24th September, 2012, as in the case of family pension under CCS (Pension) Rules.
- 7 Formal amendment in Central Civil Service (Extraordinary Pension) Rules will be made in due course.
8. This issues with the approval of Department of Expenditure, vide their ID No.1(5)/EV/2012 dated 3/4/2017 and 15/01/2019.


(Sujasha Choudhury)
Director
Tel: 24635979

To

All Ministry/Department of the Government of India as per standard distribution list.

Copy to: President's Secretariat, Vice President's Secretariat, Prime Minister's Office, Cabinet Secretariat, Supreme Court of India, C&AG, UPSC, etc. as per standard endorsement list.