PCPO's Serial No. 81/2020

Eastern Railway

No. E.787/0/PEN/Pt.XXIX. Kolkata, dated 01.09.2020.

ALL CONCERNED

Subject :- Relaxation of Rule 96 of Railway Services (Pension) Rules, 1993 for payment of provisional Family Pension on death of a Government Servant during service - regarding.

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Copy of Railway Board's letter No. D-43/43/2020-F(E)III dated 25.08.2020 (RBE No.72/2020) with DOP&PW's O.M. No.1/11/2020-P&PW(E) dated 29.07.2020 along with proforma for sanction of the provisional Family Pension on the subject matter is sent herewith for information, guidance and necessary action.

01/9/2020

(S.K. Chattopadhyay)
Sr. Personnel Officer (HQ)
For Pr.Chief Personnel Officer

INDEX NO. 1058: Clarification regarding relaxation of Rule 96 of Railway Services (Pension) Rules, 1993 for payment of provisional Family Pension on death of a Government Servant during service.

Copy of Railway Board's letter No. D-43/43/2020-F(E)III dated 25.08.2020 (RBE No.72/2020) with DOP&PW's O.M. No.1/11/2020-P&PW(E) dated 29.07.2020 addressed to GMs/PFAs ,all Zonal Railways & Production Units is circulated herewith.

Subject :- Relaxation of Rule 96 of Railway Services (Pension) Rules, 1993 for payment of provisional Family Pension on death of a Government Servant during service - regarding.

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DA: As above.

Contd....2/-

RBE No. 72/2020

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

No. D-43/43/2020-F(E)III **New Delhi, Dated : 25.08.2020**

The GMs/Principal Financial Advisors,
All Zonal Railways/Production Units,
(As per mailing list)

Subject: Relaxation of Rule 96 of Railway Services (Pension) Rules, 1993 for payment of provisional Family Pension on death of a Government Servant during service – regarding.

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A copy of Department of Pension & Pensioners' Welfare (DOP&PW's) O.M. No. 1/11/2020-P&PW(E) dated 29th July, 2020 along with proforma for sanction of the provisional family pension is enclosed herewith for compliance and guidance. These instructions shall apply mutatis mutandis on the Railways also. Rule 54, Rule 80 and Rule 80-A of the Central Civil Services (Pension) Rules, 1972 correspond to Rule 75, Rule 95 and Rule 96 of the Railway Services (Pension) Rules, 1993 respectively. Also, Form 14 and Form 18 of the Central Civil Services (Pension) Rules, 1972, referred to in the aforesaid O.M. dated 29th July, 2020, correspond to Form 10 and Form 16 of the Railway Services (Pension) Rules, 1993, respectively.

G. Priya Sudarsani

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

D.A.: as above

No. D-43/43/2020-F(E)III **New Delhi, Dated : 25.08.2020**

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No. 224, Rail Bhawan, New Delhi.

G. Priya Sudarsani

For Financial Commissioner/Railways.

Cont 2/-

No. D-43/43/2020-F(E)III **New Delhi, Dated :25.08.2020**

Copy to:

1. The General Secretary, NFIR, Room No. 256-E, Rail Bhawan, New Delhi.
2. The General Secretary, AIRF, Room No. 253, Rail Bhawan, New Delhi.
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-C, Feroze Shah Road, New Delhi.
4. The Secretary General, FROA, Room No. 256-A, Rail Bhawan, New Delhi.
5. The Secretary, RBSS, Group "A" Officers Association, Rail Bhawan.
6. The Secretary, RBSS, Group "B" Officers Association.
7. The General Secretary, RBSSSA, Room No. 451-A, Rail Bhawan, New Delhi.
8. The Secretary General, IRPOF, Room No. 268, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association.
10. The Secretary, Railway Board Class IV Staff Association.
11. The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhawan, New Delhi- 110001.
12. The Secretary, Railway Board Promottee Officers Association, Room No. 341-C, Rail Bhawan.
13. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhawan, New Delhi.
14. The General Secretary, All India O.B.C. Railway Employee's Federation (AIOBCREF), Room No. 48, Rail Bhawan.

For Secretary/Railway Board.

No. D-43/43/2020-F(E)III **New Delhi, Dated :25.08.2020**

Copy to:

PS to MR, EDPG to MR, PS to MoS(R), EDPG to MoS(R), EDPG-II to MoS(R), APS to MoS(R).

PSOs/Sr. PPSs/PPSs/PSs to Chairman, Railway Board, Financial Commissioner (Railways), Member Traffic, Member Engineering, Member Staff, Member Rolling Stock, Member Traction, Member (Signal & Telecom), Member (Material Management), Secretary, Railway Board.

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

All Additional Members, Principal Executive Directors, All Executive Directors, IG/RPSF, JS, JS(G), JS(E), JS(E)-II, JS(G)-II/ Railway Board.

Copy to Section's Yearly Guard File.

No. D-43/43/2020-F(E)III **New Delhi, Dated : 25.08.2020**

Copy to:-

1. The Director General and Ex. Officio General Manager, RDSO/Lucknow.
2. The General Manager and FA&CAO, Metro Railway/Kolkata.
3. The Director General, National Academy of Indian Railways (NAIR)/Vadodara.
4. The General Manager, Modern Coach Factory, Lalganj, Raebareli, U.P.-229120.
5. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISET/Secuderabad.
6. The CMDs, IRCON, IRFC, MRVC, IRC&TC, CONCOR, RITES, KRCL, RVNL, RAILTEL and the Managing Director, CRIS, IRWO.
7. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
8. The Chairman, RCT/Delhi.
9. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivandrum.
10. The Pay & Accounts Officer, Ministry of Railways (Railway Board).
11. The Chief Commissioner of Railway Safety/Lucknow.
12. The Vice Chairman, Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1, New Delhi-110021.
13. The CAO, Indian Railway Organization for Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.

(Copy to Department of Pension & Pensioner's Welfare w.r.t. their O.M. No. 1/11/2020-P&PW(E) dated 29th July, 2020)

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No. 1/11/2020-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 29th July, 2020

OFFICE MEMORANDUM

Sub: Relaxation of Rule 80-A for payment of provisional Family Pension on death of a Government Servant during service.

The undersigned is directed to say that in accordance with Rule 80-A of the CCS (Pension) Rules 1972, on death of a Government servant during service, Head of Office shall sanction and draw provisional family pension and death gratuity in favour of claimant or claimants, after the family pension case, including Form 18 and other documents referred to in Rule 80, has been forwarded by the Head of Office to the Pay & Accounts Office. It has been brought to the notice of this Department that the process of forwarding the family pension case to Pay & Accounts Office along with requisite documents itself takes a long time. It is also understood that, in a large number of cases, provisional family pension and gratuity are not being sanctioned on death of a Government servant. The delay in finalization of family pension and gratuity results in hardship to the family of the deceased Government servant.

2. The matter has been examined in this Department. In accordance with Rule 54 (2) (ii) of the CCS (Pension) Rules, on death of Government servant during service, the family of a deceased Government Servant becomes entitled to family pension even in cases where a government servant dies before completion of one year of continuous service, provided the deceased government servant concerned, immediately prior to his/ her appointment to the service or post, was examined by appropriate medical authority and declared fit by that authority. Thus family pension is payable to the family of deceased Government servant irrespective of the length of service of the Government servant before his death. Therefore, verification of the entire service is not relevant for determining the amount of family pension. The amount of death gratuity, however, depends on the length of qualifying service of the deceased Government servant. Any Government dues in respect of the deceased Government servant are also required to be recovered from the amount of death gratuity.

3. Keeping in view the position mentioned in para 2 above and in order to avoid any hardship to the family of the deceased Government servant, it has been decided to relax the provisions of rule 80-A of the CCS (Pension) Rules, 1972 to the extent that if a claim for family pension in Form 14 along with death certificate and bank account details of the claimant has been received and the Head of Office is satisfied about the bonafide of that claim, he shall sanction provisional family pension immediately. The Head of Office shall not wait for forwarding of the family pension case (including Form-14, Form-18 and other relevant documents mentioned in Rule 80) to Pay & Accounts Office before sanctioning the provisional family pension.

4. The amount of provisional family pension shall not exceed the maximum family pension as admissible under Rule 54 of CCS Pension Rules, 1972.

5. In Central Armed Police Forces related cases, where death of an employee occurs, initially provisional family pension may be sanctioned without waiting for the final Operation Casualty Report.

6. The Pay & Accounts Office shall release the provisional family pension on the basis of sanction order issued by the Head of Office without insisting for any other documents including service book. The provisional family pension shall be paid in the same manner as Pay and Allowances of the establishment are paid.

7. A format for sanctioning the provisional family pension by the Head of Department is enclosed.

8. There will be no change in regard to the provisions for sanction of provisional gratuity under Rule 80-A. Action for sanction of death gratuity under rule 80-A may be taken by the Head of Office after forwarding Form-18 and other relevant documents to Pay & Accounts Office. In case the amount of provisional family pension is later found to be in excess of the final family pension, the same may be adjusted from the amount of death gratuity, failing which, it may be recovered in instalments from the family pension payable in future.

9. The payment of provisional family pension sanctioned as per Para 3 above may initially continue for a period of six months from the date, following the date of death of employee. The period of such provisional family pension sanctioned may be further extended, for not more than six months at a time, on the advice of Pay & Accounts Office and with the approval of Head of Department (HOD).

10. The provisional family pension may continue to be paid for two months succeeding the month in which the Pension Payment Order for final family pension is issued by the Pay & Accounts Office, keeping in view the time likely to be taken by Central Pension Accounting Office (CPAO) and Central Pension Processing Centre (CPPC) for processing the case. While authorizing final family pension after receipt of complete family pension case, the Pay & Account office shall indicate the date from which the family pension authorized in the Pension Payment Order is to be paid by the Pension Disbursing Authority. Accordingly, the Office of Pay & Account may record a note in the Pension Payment Order, as mentioned below, while authorizing the final family pension:

"Provisional family pension has been/shall be paid for the period from ------- to --------- @ Rs. ---------- plus Dearness Relief. The payment of final family pension may be commenced by the bank w.e.f. ----------."

11. The Administrative Divisions of all Ministries/Department and attached/subordinate offices are requested to bring these instructions to the notice of all concerned for compliance.

The issues with the approval of Competent Authority

(Sanjoy Shankar)
Under Secretary to the Government of India
Ph. 24644632

1. All Ministries/Departments of the Government of India
2. 0/o the Comptroller & Auditor General of India
3. 0/o the Controller General of Accounts, Lok Nayak Bhawan, New Delhi
4. Pensioners' Associations as per list maintained in the Department
5. All Officers/Desks
6. NIC for Uploading the Office Memorandum on the website

No.....

Government of India

Ministry of.....

Department/Office.....

Dated the.....

To

Shri/Smt./Kumari..... (Name and address of claimant)

Subject: - Grant of provisional family pension.

Sir/Madam

I am directed to say that Shri/Smt./Kumari..... ....(Name and designation) died on..... As per service record you are eligible to receive family pension.

2. In accordance with Rule 80-A of the Central Civil Services (Pension) Rules, 1972 read with the O.M. No. 1/11/2020-P&PW (E) dated 29th July, 2020 of Department of Pension & Pensioners' Welfare, sanction of the competent authority is hereby accorded for payment of an amount of Rs...../- per month as provisional family pension commencing from..... (Date following the date of death of Government servant)

* The amount of provisional pension shall be 100% of family pension as assessed based on the pay on the date of death of Government servant.

3. The payment of provisional family pension sanctioned as per Para 3 of the OM No 1/11/2020-P&PW dated 29th July, 2020 may initially continue for a period of six months from the date, following the date of death of employee. The period of such provisional family pension sanctioned may be further extended, for not more than six months at a time, on the advice of Pay & Accounts Office and with the approval of Head of Department (HOD).

4. If the amount of provisional family pension is found to be in excess of the final family pension, it shall be recovered from gratuity instalments from the family pension payable in future.

Yours faithfully,

Head of Department

Copy for information to the Pay and Accounts Officer