

Eastern Railway

Personnel Department

Kolkata, dated 22.09.2021

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

ALL CONCERNED

As per Standard list

Sub: Percentage and type of Physical disability to be considered as disability for grant of family pension to the ward of the Railway employee – reg.

A copy of Railway Board's letter No. F(E)III/2005/PN1/32 dated 24.08.2021 on the above subject is sent herewith for information, guidance and necessary action.

Railway Board's earlier letters of even no dated 27.10.2014 and 11.01.2016 mentioned therein were circulated under this office Sl. No. 148/2014 and 10/2016 respectively. A copy of Railway Board's letter of even no dated 13.06.2019 also mentioned therein is enclosed for ready reference.

DA: As above


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

INDEX NO. 1058: Guidelines regarding percentage and type of Physical disability to be considered as disability for grant of family pension to the ward of the Railway employee.

कॉपी जारी की

प्रमोद
24/08/2021

GOVERNMENT OF INDIA (भारत सरकार)
MINISTRY OF RAILWAYS (रेल मंत्रालय)
RAILWAY BOARD (रेलवे बोर्ड)

No. F(E)III/2005/PN1/32

New Delhi, dated: 24.08.2021.

The General Managers/Principal Financial Advisors,
All Zonal Railways/Production Units.

Sub: Percentage and type of Physical disability to be considered as disability for grant of family pension to the ward of the Railway employee – reg.

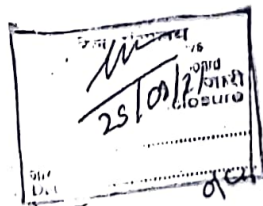
Clarifications have been sought by one of the Zonal Railways on the following issues:-

- (i) Who is the competent authority to decide the percentage of disability and issuing livelihood certificate on the basis of which family pension will be sanctioned? Whether it is civil authorities (Non-Railway) or the concerned Railway's medical authority?
- (ii) In case, only percentage of disability is made available to the Pension Sanctioning/Appointing authority, then what should be the criteria to allow/disallow the family pension?

2. The above issues have been examined in consultation with the Department of Pension & Pensioners' Welfare (DOP&PW), the nodal Department of Government on pensionary matters. For query No. (i) above, the DOP&PW's clarification is as under:-

"the Medical Board mentioned in Rule 54 (6) of the CCS (Pension) Rules, 1972 (corresponding to the Rule 75(6) of the Railway Services (Pension) Rules, 1993) is still competent to issue disability certificate for the purpose of family pension, as it has not been omitted. However, the authority Competent to issue disability certificate has been widened through OMs No. 1/18/01-P&PW(E)(Vol.II) dated 30.09.2014 and 1/18/01-P&PW(E)(Vol.II) dated 05.11.2015 (circulated on Railways vide letters of even number dated 27.10.2014 and 11.01.2016, respectively) keeping in view the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1996"

3. As for the query raised in item No. (ii), it is stated that in terms of Board's letter of even number dated 13.06.2019 read with Rule 75(6) of the Railway Services (Pension) Rules, 1993, it is for the appointing authority to satisfy that the disability of wards of Railway pensioners is such that he/she is not able to earn his/her livelihood and the same shall be evidenced by the certificate issued by the Competent Medical Authority and to decide whether such ward is eligible for grant of family pension subject to the conditions stipulated in Rule 75 of the Railway Services (Pension) Rules, 1993.



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

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

New Delhi, dated: 13.06.2019.

No. F(E)III/2005/PN1/32

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

Sub: Percentage and type of physical disability to be considered as disability for grant of family pension to the wards of the Railway pensioners in terms of the Railway Services (Pension) Rules, 1993 - reg.

Attention is invited to the provisions contained in Rule 75 of the Railway Services (Pension) Rules, 1993 which provides for grant of family pension to the son or daughter of a railway servant who is suffering from any disorder or disability of mind including the mentally retarded or is physically crippled or disabled so as to render him or her unable to earn living even after attaining the age of twenty five years, for life subject to certain conditions being fulfilled. Attention is also invited to the Board's letters of even number dated 27.10.2014 and 11.01.2016 vide which instructions were issued regarding the Competent Authority for issuing disability certificate for the purpose of family pension under Rule 75 of the Railway Services (Pension) Rules, 1993.

2. References were received in this office seeking clarification about the type of physical disability that can be taken as disability for grant of family pension to the children of the Railway servants.

3. The above issue has been examined in consultation with the Department of Pension & Pensioners' Welfare (DOP&PW), the nodal Department of the Government on pensionary matters. DOP&PW has clarified that the disabilities as specified in the Rights of Persons with Disability Act, 2016 would be covered and that they have not specified the percentage of disability for grant of family pension to such son or daughter. It is for the Competent Medical Authority to certify the percentage of disability. Further, before allowing family pension in favour of such son or daughter, the appointing authority has to satisfy that the disability is such that he/she is not able to earn his/her livelihood and the same shall be evidenced by the certificate issued by the Competent Medical Authority.

(Signature)

(Jitendra Kumar)
Deputy Director, Finance (Estt.)
Railway Board,
Ph.No.23304528.

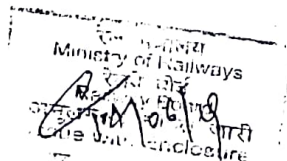
(Signature)

New Delhi, Dated : 13.06.2019

No. F(E)III/2005/PN1/32

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.222,
Rail Bhawan, New Delhi (20 spares).

(Signature)
14/6/19



(Signature)
For Financial Commissioner/Railways.