

Family Pension

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

S.No. PC-V/ 313

RBE No. 158/2001

No. F(E)III/98/PN1/4.

NEW DELHI

Dt. 26.08.2001.

The GMs/OSDs/CAOs/FA&CAOs etc.
All Indian Railways & Production Units,
(As per mailing list)

Sub: Eligibility of disabled divorced/widowed daughter for grant of family pension.

A copy of DOP&PW's OM No. 45/51/97-P&PW(E) Vol. II dated 18/25-7-2001 is circulated for information and guidance. These instructions shall apply mutatis-mutandis on the Railways.

2. DOP&PW's OM dated 5.3.1998 and 21.7.1999 referred to in the enclosed O.M. were circulated on the Railways vide Board's letters of even number dt. 24.4.98 and 9.9.99 respectively. Rule 54 of CCS(Pension) Rules, 1972 corresponds to Rule 75 of Railway Services (Pension) Rules, 1993.

3. Please acknowledge receipt.

4. Hindi version is enclosed.


(S. SREERAM)
Deputy Director Finance (Estt.) III,
Railway Board.

DA: As above.

...2..

No. F(E)III/98/PN1/4.

NEW DELHI

Dt. 20.08.2001

Copy to .DAI (Rlys), New Delhi (40 spares).


 (S. SREERAM)
 for Financial Commissioner/Railways.

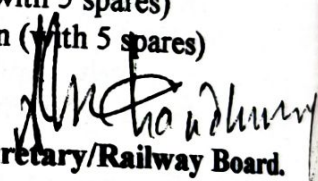
No. F(E)III/98/PN1/4.

NEW DELHI

Dt. 20.08.2001

Copy forwarded to:

1. The General Secretary, NFIR (with 35 spares)
2. The General Secretary, AIRF (with 35 spares)
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-c, Feroze Shah Road, New Delhi (with 90 spares).
4. The Secretary General, FROA (with 5 spares).
5. The Secretary, RBSS, Group "A" Association (with 5 spares)
6. The President, Railway Board Class II Officers' Association (with 5 spares)
7. The Secretary General, IRPOF (with 5 spares)
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9. The Secretary, Railway Board Class IV Staff Association (with 5 spares)
10. The President, Indian Railway Class II officers' Association (with 5 spares)


 for Secretary/Railway Board.

No. F(E)III/98/PN1/4.

NEW DELHI

Dt. 20.08.2001

1. The G.M, N.F Railway (Const.), C.A.O, Southern Railway (Const) and Central Railway (Const.)
2. The FA&CAOs, N.F Railway (Const.) and Southern Railway (Const.)
3. The Director General, RDSO/Lucknow.
4. The General Manager and FA&CAO, Metro Railway/Kolkata.
5. The CAO and FA&CAO, COFMOW/New Delhi.
6. The General Manager and FA&CAO, CORE/Allahabad.
7. The Director General, Railway Staff College/Vadodara.

- 8 The CAO(Const.), MTP(R)/Mumbai.
9. The CAO(Const.),MTP(R)/Chennai.
10. The Director, CAMTECH/Gwalior-474020
11. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIMEE/Jamalpur, IRISSET/Secunderabad.
12. The Managing Director, RITES, IRCON, IRFC, CONCOR of India Limited, Executive Director, CRIS.
13. The Chairman and Managing Director, KRC Limited/New Delhi
14. Office of the Chief Project Administrator(Telecom), Indian Railway Central Organisation for Telecom(IRCOT) Consultancy, Shivaji Bridge/New Delhi.
15. The Director(Movement) Railways/Kolkata.
16. The Joint Director(Finance), RDSO/Lucknow.
17. The Joint Director, Mil Rail, Ministry of Defence.
18. The Joint Director, Iron & Steel, 5 Koila Ghat Street/Kolkata.
19. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar.
20. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
21. The Chairman, RCT/Delhi.
22. The Chairman, RRT, Chennai.
23. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
24. The Editor, "Bharatiya Rail"
25. The Editor "Indian Railways"
26. Chairman, Passsenger Services Committee.
27. Member, Passenger Amenities Committee.
28. The Pay & Accounts Officer, Ministry of Railways(Railway Board)
29. The General Secretary, IRCA/New Delhi.
30. The Commissioner, Railway Safery/Lucknow.
31. Liaison Officer, VCPC, Zonal Railways/PUs/RDSO/Trg. Institutes, Metro Railway/COFMOW/CORE etc.


(S. SREERAM)
Deputy Director, Finance(Estt.)III.
Railway Board.

Copy to:-

1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners, 36, Venkatanarayana Road, T. Nagar, Chennai-600 017.
2. Shri K. Gopinath Menon, The Secretary General, National Federation of Railway Pensioners, Kunnathurmedu, Palghat-678 013.

3. Shri R.B. Kulkarni, President, AIRRF, 13/9, Vivekanand Housing Society, Gurumandir Road, Dombivli (East), Maharashtra-421 201.
4. B. Jayajaya Rao, President, All India Railway Officer's Association, 12-13-268 (505) New, Street-2, Lane 9, Tarnaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kiran Kutir, Larkania Tola, Katihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kavirai Street, Saidapet West, Chennai-600 015.
7. Shri S.S. Ramachandra, Secretary General, All India Central Committee of Pensioners Association. Flat No. 144, New Suryakiran Apartments, Plot No. 65, Patparganj, New Delhi-110 092.
8. Shri M.S. Solanki, General Secretary, Central and AIS Pensioners Association, E-i/164, Arena Colony, Bhopal(M.P) 462 016
9. Shri Nirma Dass Gupta, Vice President, Federation of Central Government Pensioners' Organisation, P-24C, Sagar Manna Road, Kolkata. 700 060
10. Shri B.S Dard, Secretary General, Central Government Pensioners' Association, 1874/2, Sector-64, S.A.S Nagar, Chandigarh 160 061.
11. Shri C.R. Chatwani, Central Government Pensioners' Association, "SHIVANAND", 11/13, Krishna Kunj Society, Chhotunagar-7, Raiya Road, Rajkot 360 001.

Copy to:-

PPSs/PSs/PAs to: CRB,FC,MS, MT,ME,MS,MM,DG(RHS),DG(RPF),All Additional Members, All OSDs, Secretary, All Executive Directors, JS, JS(G), JS(D), JS(E), DS(G),DEN, Dir(MPP), DE(G), DPC,JDE(N), JDE(P&A), JDEGC), JDE(Rep),JDE(G),JDE(D&A),JDPC, JDE(Gaz),JDE(W), JDE(GP), JDE(Res),DF(E). DDPC-III,IV, V, DDV(A&P), DDF(E)-I,II, III,JDE(L), DDE(LR)I,II,III, DDE(R)II,US(A), US(D),US(E),PAO, W.O./Railway Board. Cash-I,II,III,IV,Budget,E(P&A)I/II, E(G), E(NG)I&II, PC-V,IV,III, E(Trg),E(MPP), E(LR)I&II, F(E)-II,I, F(E)Spl, Security(E), Security(ABE), Accounts-III(with 10 spares) ERB-I,II,III,IV,V&D, G(Pass),G(Acc), E(Welfare), E(SCT), E(O)I,II,III&III(CC), E(GR)I,II, E(GP),E(GC), PR, E(D&A), Budget, O&M, Code Revision Cell(with 2 spares), Acs-II, PG, E(Rep)-I,II,III Railway Board.

1. **Section Diary / No.**
 2. **Classification**

3rd floor, Lok Nayak Bhavan
Khan Market, New Delhi - 110 003

Dated : 18th 25 July, 2001.

OFFICE MEMORANDUM

Subject:- Eligibility of disabled divorced/widowed daughter
for grant of family pension.

The Government of India vide its Office Memorandum of even number dated 5th March, 1998 read with the Office Memorandum dated 21st July, 1999 has made eligible divorced/widowed daughter for grant of family pension subject to the conditions specified in these OMs. Further, the disabled daughter is already eligible for family pension for life under the proviso to Rule 54(6) of the CCS(Pension) Rules, 1972 on fulfilment of the conditions specified under this proviso and one of the conditions therein is that the disabled daughter is eligible for family pension till her marriage or earning her livelihood.

2. In view of the above provisions, this Department has been receiving representations regarding eligibility of the disabled daughter who has been divorced after her crossing 25 years of age, as the family pension to the divorced daughters under this Department's O.M. dated 5.3.1998 is admissible till 25 years or till their remarriage or their earning a sum of Rs.2550/- whichever is earlier. The matter has been considered in this Department. It has been decided that if the marriage of the disabled daughter is legally annulled, she would be eligible for family pension for life from the date her marriage stands annulled, subject to the following conditions:-

- (i) Divorce is valid in law
- (ii) Divorced daughter comes back to her parental home
- (iii) Disability is certified by an appropriate authority as required under the rules.
- (iv) The requirement regarding submission of the requisite certificates as laid down under Rule 54(6) of the CCS (Pension) Rules for becoming eligible to family pension for life shall continue to remain operative.

3. Similarly, the widowed disabled daughter would also be eligible for family pension for life from the date of death of her husband, subject to fulfilment of above mentioned conditions, as applicable in her case.

4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O. No. 83 dated 12.6.2001.

(Sujit Datta)
Director

To

All Ministries/Departments of Government of India.

F.No. 45/51/97-P&PW(E)

dated 25th July, 2001

Copy forwarded to:

- (i) Office of the C&AG, Bahadur Shah Zafar Marg, New Delhi with 200 spare copies.
- (ii) Office of the Controller General of Accounts, Lok Nayak Bhavan, New Delhi (10 copies)
- (iii) Ministry of Railways (Railway Board) 20 copies.
- (iv) Ministry of Defence 10 copies.

सं० 45/51/97-पी०एण्ड पी०डब्ल्यू० ई .४

भारत सरकार

पेंशन और पेंशन भोगी कल्याण विभाग
जनिक, लोक शिकायत तथा पेंशन मंत्रालय
नई दिल्ली,

दिनांक 23/12/2001

कार्यालय ज्ञापन

विषय:- निःशक्त तलाकशुदा/विधवा पृथ्वी को कुटुम्ब पेंशन प्रदान करने की पात्रता ।

भारत सरकार ने अपने दिनांक 5 मार्च, 1998 के इसी संख्या के का०बा० के साथ पठित दिनांक 21 जुलाई, 1999 के का०बा० में तलाकशुदा/विधवा पृथ्वी को कुटुम्ब पेंशन देने की पात्रता दी हुई है बशर्ते कि उन का० बापनों में विनिर्दिष्ट शर्तों को वे पूरा करें । इसके अतिरिक्त के०सि०से० पेंशन नियमावली, 1972 के नियम 54(6) के उपबंधानुसार निःशक्त पृथ्वी इस पण्डित के तहत विनिर्दिष्ट शर्तों को पूरा करने पर पहले से ही आजीवन कुटुम्ब पेंशन पाने की पात्र है और इस परन्तुक की एक शर्त यह है कि निःशक्त पृथ्वी विवाह अथवा जीविका-उपार्जन करने तक ही कुटुम्ब पेंशन की पात्र है ।

2. उपर्युक्त उपबंधों की दृष्टि से, इस विभाग को ऐसी निःशक्त पृथ्वी जिसे 25 वर्ष की आयु प्राप्त करने के बाद तलाक दिया गया हो, की पात्रता संबंधी कई अपेक्षाएं प्राप्त हुए हैं, जैसा कि इस विभाग के दिनांक 5.3.1998 के का०बा० में तलाकशुदा पृथ्वियों को कुटुम्ब पेंशन 25 वर्ष की आयु या उसका विवाह अथवा उसकी आय 2550/रु० होने तक, इनमें से जो भी पहले हो, तक ही संदेय होगी । विभाग के द्वारा इस मामले पर विचार किया गया । यह निर्णय लिया गया है कि यदि निःशक्त पृथ्वी का विवाह कानून रद्द होता है तो उसे कुटुम्ब पेंशन, विवाह के रद्द होने की तारीख से निम्नलिखित शर्तों के अधीन आजीवन संदेय होगी:-

1. तलाक कानून वैध हो ।

2. तलाकशुदा पृथ्वी अपने पेरुके घर में वापस आ जाए ।

3. निगमानुसार यथा अपेक्षित समुचित प्राधिकारी के द्वारा निःशक्तता प्रमाणित हो ।

4. के०सि०से० पें० नियमावली के नियम 54(6) में आजीवन कुटुम्ब पेंशन की पात्रता हेतु दिए हुए अपेक्षित प्रमाणपत्रों को जमा करने संबंधी अपेक्षा जारी रहेगी ।

3. इस प्रकार, निःशक्त विधवा पृथ्वी भी उसके मामले में यथा लागू उपर्युक्त शर्तों को पूरा करने के अधीन, अपने पति की मृत्यु की तारीख से, आजीवन कुटुम्ब पेंशन प्राप्त करने की पात्र होगी ।

4. इस, वित्त मंत्रालय तथा विभाग की दिनांक 12.6.2001 की उनकी 70/0/0523/ई०/2001 के अन्तर्गत दी गई सहमति से जारी किया जा रहा है ।

5/2 2-4
॥ सुजित दत्ता ॥
निदेशक पें०

सेवा में,