

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

No. F(E)III/2007/PN1/5

New Delhi, Dated: 02.09.2009.

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

Subject: Family Pension – Extension of the scope of Family Pension to the dependent disabled siblings (i.e. brothers/sisters) of Central Government servants/Pensioners-reg.

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 1/15/2008-P&PW(E) dated 17th August, 2009 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Rule 54(14) of the CCS(Pension) Rules, 1972 corresponds to Rule 75(19) of the Railway Services (Pension) Rules, 1993 and DOP&PW's O.M. dated 2.9.2008 referred to in the enclosed O.M. was adopted vide this office letter number F(E)III/2008/PN1/13 dated 15.9.2008.

2. In terms of these instructions, family pension to the eligible dependent disabled siblings (i.e. brothers/sisters) shall be admissible from the date of issue of DOP&PW's instructions i.e. 17.08.2009 or from the date on which their turn for family pension materializes, whichever is later.

3. Please acknowledge receipt.



(SUNIL BHARDWAJ)

**Deputy Director Finance(Estt.)III,
Railway Board.**

DA: One.

No.1/15/2008-P&PW(E)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare

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Lok Nayak Bhavan,
New Delhi, the 17th August, 2009

OFFICE MEMORANDUM

Subject: Family Pension – Extension of the scope of Family Pension to the dependent disabled siblings (i.e. brothers/sisters) of Central Government Servants/Pensioners – reg.

The undersigned is directed to say that as per the existing provisions in Rule 54(14) of the CCS (Pension) Rules, 1972, read with various orders/instructions issued by this Department in this regard from time to time, the following are presently covered in the definition of 'family' in relation to a Government servant/Pensioner for the purpose of eligibility for family pension:

- a) Wife in the case of a male Government servant, or husband in the case of a female Government servant;
- b) A judicially separated wife or husband, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery;
- c) Son/Daughter upto the date of his/her marriage or till the date he/she starts earning, or till the age of 25 years, whichever is the earliest;
- d) Unmarried/widowed/divorced daughter, upto the date of marriage/remarriage or till the date she starts earning, whichever is earliest; and
- e) Parents who were wholly dependent upon Government servant when he/she was alive provided the deceased employee has left behind neither a widow nor a child.

Further, the dependency criteria for the purpose of family pension has been revised and fixed as the minimum family pension, alongwith the dearness relief thereon, vide this Department's O.M. No. 38/37/08-P&PW(A) dt. 2.9.2008.

2. Representations have been received in this Department from various quarters requesting for extension of the scope of family pension so as to cover the dependent disabled siblings (i.e. brothers/sisters) of Government servants/pensioners within the ambit of 'family' for the purpose of eligibility for family pension. The arguments advanced by the representationists in support of their request are that the dependent disabled siblings (i.e. brothers/sisters) are left to fend for themselves after the death of the Government servant/pensioner on whom they were fully dependent before his/her death. They need to be taken care of by the society and the Government as they are helpless and without any means to manage their lives.

3. These representations have been sympathetically examined in this Department in consultation with other Ministries/Departments concerned. It has now been decided to include the dependent disabled siblings (i.e. brothers/sisters) of Government servants/pensioners in the definition of 'family' for the purpose of eligibility for family pension. Such disabled siblings shall be eligible for family pension for life in the same manner and following the same disability criteria, as laid down in Rule 54 of the CCS (Pension) Rules, 1972 in the case of son/daughter of Government employees/Pensioners suffering from any disorder or disability of mind (including mentally retarded) or physically crippled or disabled, so as to render him/her unable to earn a living even after attaining the age of 25 years.

4. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their U.O. No. 677/E-V/2008 dt. 19.2.2009.

5. These orders, in so far as their applicability relates to the employees of the Indian Audit and Accounts Department, are being issued in consultation with the Comptroller and Auditor General of India, vide their U.O. No. 69 - Audit (Rules)/26 - 2008 dated 17.7.2009.

6. The CCS(Pension) Rules, 1972 shall stand modified to that extent.

7. Hindi version will follow.


(RAJNI RAZDAN)
Secretary (P&PW)

To

1. All Ministries/Departments of Govt. of India
2. C&AG