

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

No. F(E)III/2005/PN1/37

New Delhi, Dated: 02 .12 .2009.

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

Subject: Grant of Family Pension to persons with disabilities – acknowledgement of Legal Guardianship Certificate issued by the Local Level Committee constituted under the National Trust Act, 1999(No.44 of 1999).

Attention is invited to this office letter of even number dated 17.11.2005 wherein it was advised that in those cases where the Railway servant or the pensioner or the spouse, or the family pensioner, as the case may be, did not nominate a person to receive family pension for life in respect of the mentally retarded son or daughter of retired/deceased pensioner, family pension may be sanctioned and released through the person in favour of whom Legal Guardianship has been provided duly stating the purpose as for receipt of family pension, by the Local Level Committee, a statutory body constituted under the National Trust Act, 1999, without insisting on guardianship certificate from a Court.

2. It has been brought to the notice of Department of Pension and Pensioners' Welfare (DOP&PW) by the National Trust for the Welfare of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities that certain offices have not been accepting the Legal Guardianship Certificate issued by the Local Level Committee of the District, constituted under the provisions of the National Trust Act, 1999. DOP&PW have emphasized that such action on the part of Pension sanctioning authorities not only results in inconvenience and harassment to the persons with disabilities but also leads to delay in the family pension sanction process. Besides, it has to be appreciated by one and all that persons with disabilities deserve special attention, support, protection and care of all concerned in order to enable them lead a dignified life in the society.

3. Zonal Railways, etc., are, therefore, again requested to ensure that Guardianship Certificate issued by the Local Level Committee constituted under the provisions of the National Trust Act, 1999, for the purpose of grant of family pension in respect of persons suffering from the said disabilities, are invariably honoured/accepted. The Certificate issued by the Local Level Committee has the same sanctity and force as the one issued by a Court of Law and cannot be summarily dismissed and ignored.

4. Please acknowledge receipt.



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