



**दक्षिण रेलवे/SOUTHERN RAILWAY**

No.P(R)500/P/Vol.VI

प्रधान कार्यालय/Headquarters Office  
कार्मिक शाखा/ Personnel Branch  
चेन्नै/ Chennai - 600 003  
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**आर बी ई सं/RBE No. 97 / 2013**

**पी बी सी सं/ PBC No. 144 / 2013**

All PHODs / DRMs / CWMs / CEWE / CAO / CPM / Dy.CPOs / Sr.DPOs /  
DPOs / SPOs / WPOs / APOs of HQ / Divisions / Wokshops / other Units, etc.,  
(As per mailing list -'A')

विषय/Sub: Rules further to amend the Railway Services (Pension)  
Rules, 1993.

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A copy of Railway Board's Notification of Part II, Section 3, Sub-Section  
(ii) OF THE GAZETTE OF INDIA under letter No. 2011/F(E)III/1/(1)/9 dated  
23-09-2013 (RBE No. 97 / 2013) on the above subject is enclosed for  
information, guidance and necessary action.

(V.SRINIVASAN)

वरिष्ठ कार्मिक अधिकारी/नियम  
Senior Personnel Officer/Rules  
कृते मुख्य कार्मिक अधिकारी  
For Chief Personnel Officer

संलग्न/Encl: as above

प्रतिलिपि/Copy to : The Genl Secy / SRMU  
The Genl Secy / AISCSTREA  
The Genl Secy/ AIOBCREA  
The Genl Secy/NFIR

04 NOV 2013

दक्षिण रेलवे / Southern Railway  
चेन्नै / Chennai-600 003

RBE No. 97/2013

[TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (3) OF THE GAZETTE OF INDIA]

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

Notification

New Delhi, dated the 23.09.2013.

S.O. - In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Railway Services (Pension) Rules, 1993, namely:-

1. (1) These rules may be called the Railway Services (Pension) Amendment Rules, 2013.  
(2) Save as otherwise expressly provided, they shall come into force on the date of their publication in the Official Gazette.
2. In the Railway Services (Pension) Rules, 1993, (hereinafter referred to as the said rules) the proviso to sub-rule (2) of rule 6 shall be omitted and shall be deemed to have been omitted with effect from the 1<sup>st</sup> day of January, 1996.
3. In rule 8 of the said rules, in sub-rule (1), in clause (b), in the proviso, for the words "rupees three hundred and seventy five", the words "rupees three thousand five hundred" shall be substituted;
4. In rule 9 of the said rules, in sub-rule (1), in the second proviso, for the words "rupees three hundred and seventy-five", the words "rupees three thousand five hundred" shall be substituted;
5. Rule 45 of the said rules, shall be omitted;
6. For rule 46 of the said rules, the following rule shall be substituted, namely:-

"46. Deputation to United Nations and other organisations.- A railway servant who is deputed on foreign service to the United Nations' Secretariat or other United Nations' Bodies, the International Monetary Fund, the International Bank of Reconstruction and Development, the Asian Development Bank or the Commonwealth Secretariat or any other International organisation and who becomes entitled for pensionary benefits from that organisation, may at his option, -

- (a) pay the pension contributions in respect of his foreign service and count such service as qualifying for pension under these rules; or

(b) avail the retirement benefits admissible under the rules of the aforesaid organisation and not count such service as qualifying for pension under these rules:

Provided that where a railway servant opts for clause (b), retirement benefits shall be payable to him in India in rupees from such date and in such manner as the Government may, by order, specify:

Provided further that pension contributions, if any, paid by the railway servant, shall be refunded to him".

7. In rule 47 of the said rules, -

(1) for the marginal heading, the following heading shall be substituted, namely:-

"Verification of qualifying service after eighteen years' service or five years before retirement.-";

(2) in sub-rule(1), for the words "twenty five years", the words "eighteen years" shall be substituted;

8. In rule 53 of the said rules, in sub-rule (3), the words "pro rata" shall be omitted;

9. For rule 53A of the said rules, the following rule shall be substituted, namely:-

"53A. Conditions for payment of pension on absorption consequent upon conversion of a Railway Department into a public sector undertaking.—

(1) On conversion of a Department of the Railway into a public sector undertaking, all railway servants of that Department shall be transferred en-masse to that public sector undertaking, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking, and such transferred railway servants shall be absorbed in the public sector undertaking with effect from such date as may be notified by the Government.

(2) The Government shall allow the transferred railway servants an option to revert back to the railway or to seek permanent absorption in the public sector undertaking.

(3) The option referred to in sub-rule (2) shall be exercised by every transferred railway servant in such manner and within such period as may be specified by the Government.

(4) The permanent absorption of the railway servants as employees of the public sector undertaking shall take effect from the date on which their options are accepted by the Government and on and from the

date of such acceptance, such employees shall cease to be Government servants and they shall be deemed to have retired from railway service.

(5) Upon absorption of railway servants in the public sector undertaking, the posts which they were holding in the Government before such absorption shall stand abolished.

(6) The employees who opt to revert to railway service shall be redeployed through the surplus cell of the Government.

(7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the public sector undertaking shall, on and from the date of absorption, be governed by the rules and regulations or bye-laws of the public sector undertaking.

(8) A permanent railway servant who has been absorbed as an employee of a public sector undertaking and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by the employee in the Railways and in the public sector undertaking in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the public sector undertaking or his death or at his option, to receive benefits for the service rendered under the Railways in accordance with the orders issued by the Government.

Explanation:- The amount of pension or family pension in respect of the absorbed employee on retirement from the public sector undertaking or on death shall be calculated in the same way as calculated in the case of a railway servant retiring or dying on the same day.

(9) The pension of an employee under sub-rule (8) shall be calculated on fifty per cent. of emoluments or average emoluments, whichever is more beneficial to him.

(10) In addition to pension or family pension, as the case may be, the employee who opts for pension on the basis of combined service shall also be eligible to dearness relief as per industrial dearness allowance pattern.

(11) The benefits of pension and family pension shall be available to quasi-permanent and temporary transferred railway servants after they have been confirmed in the public sector undertaking.

(12) A permanent railway servant absorbed in a public sector undertaking or a temporary or quasi-permanent railway servant who has been confirmed in a public sector undertaking subsequent to his

absorption therein, shall be eligible to seek voluntary retirement after completing ten years of qualifying service with the Government and the public sector undertaking taken together, and such person shall be eligible for pensionary benefits on the basis of qualifying service.

(13) The Government shall create a pension fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such pension fund.

(14) The Member Staff, Railway Board shall be the Chairperson of the Board of Trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned public sector undertaking and their employees and experts in the relevant field to be nominated by the Government.

(15) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the pension fund shall be determined by the Government on the recommendations of the board of trustees.

(16) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the pension fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the railway servant in the public sector undertaking.

(17) The manner of sharing the financial liability on account of payment of pensionary benefits by the public sector undertaking shall be determined by the Government.

(18) Lump sum amount of the pension shall be determined in accordance with the Table of the values in Appendix to the Railway Services (Commutation of Pension) Rules, 1993.

(19) The public sector undertaking shall make pensionary contribution to the pension fund for the period of service to be rendered by the concerned employees under that undertaking at the rates as may be determined by the board of trustees so that the pension fund shall be self-supporting.

(20) If, for any financial or operational reason, the trust is unable to discharge its liabilities fully from the Pension Fund and the public sector undertaking is also not in a position to meet the shortfall, the Government shall be liable to meet such expenditure and such expenditure shall be debited to either the fund or to the public sector undertaking.

(21) Payments of pensionary benefits of the pensioners of a railway Department on the date of conversion of it into a public sector undertaking shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(22) Upon conversion of a Railway Department into a public sector undertaking,-

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the public sector undertaking shall with the consent of such undertaking, be transferred to the new provident fund account of the employees in such undertaking;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such undertaking;

(c) the dismissal or removal from service of the public sector undertaking of any employee after his absorption in such undertaking for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Railways and in the event of his dismissal or removal or retrenchment, the decisions of the undertaking shall be subject to review by the Ministry of Railways with the undertaking.

(23) In case the Government disinvests its equity in any public sector undertaking to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such public sector undertaking.

(24) The safeguards specified under sub-rule (23) shall include option for voluntary retirement or continued service in the undertaking or voluntary retirement benefits on terms applicable to railway servants or employees of the public sector undertaking as per option of the employees and assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government".

10. After rule 53A of the said rules, the following rule shall be inserted, namely:-

"53B. Conditions for payment of pension on absorption consequent upon conversion of a Railway Department into a Central autonomous body, -

(1) On conversion of a Department of the Railway into an autonomous body, all railway servants of that Department shall be transferred en-masse to that autonomous body on terms of foreign service without any deputation allowance till such time as they get absorbed in the said body and such transferred

railway servants shall be absorbed in the autonomous body with effect from such date as may be notified by the Government.

- (2) The Government shall allow the transferred railway servants an option to revert back to the Government or to seek permanent absorption in the autonomous body.
  - (3) The option referred to in sub-rule (2) shall be exercised by every transferred railway servant in such manner and within such period as may be specified by the Government.
  - (4) The permanent absorption of the railway servants of the autonomous body shall take effect from the date on which their options are accepted by the Government and on and from the date of such acceptance, such employees shall cease to be railway servants and they shall be deemed to have retired from railway service.
  - (5) Upon absorption of railway servants in the autonomous body, the posts which they were holding in the Government before such absorption shall stand abolished.
  - (6) The employees who opt to revert to railway service shall be redeployed through the surplus cell of the Government.
  - (7) The employees including quasi-permanent and temporary employees but excluding casual labourers, who opt for permanent absorption in the autonomous body, shall on and from the date of absorption, be governed by the rules and regulations or bye-laws of the autonomous body.
  - (8) A permanent railway servant who has been absorbed as an employee of an autonomous body and his family shall be eligible for pensionary benefits (including commutation of pension, gratuity, family pension or extra-ordinary pension), on the basis of combined service rendered by him in the Railways and autonomous body in accordance with the formula for calculation of such pensionary benefits as may be in force at the time of his retirement from the autonomous body or death or at his option, to receive benefits for the service rendered under the Railways in accordance with the orders issued by the Government.
- Explanation:- The amount of pension or family pension in respect of the absorbed employee on retirement from autonomous body or death shall be calculated in the same way as would be the case with a railway servant retiring or dying on the same day.
- (9) The pension of an employee under sub-rule (8) shall be calculated at fifty per cent. of emoluments or average emoluments, whichever is more beneficial to him.

- (10) In addition to pension or family pension, as the case may be, the absorbed employees who opt for pension on the basis of combined service shall also be eligible to dearness relief as per central dearness allowance pattern.
- (11) The benefits of pension and family pension shall be available to quasi permanent and temporary transferred railway servants after they have been confirmed in the autonomous body.
- (12) The Government shall create a pension fund in the form of a trust and the pensionary benefits of absorbed employees shall be paid out of such pension fund.
- (13) The Member Staff, Railway Board shall be the Chairperson of the board of trustees which shall include representatives of the Ministries of Finance, Personnel, Public Grievances and Pensions, Labour, concerned autonomous body and their employees and experts in the relevant field to be nominated by the Government.
- (14) The procedure and the manner in which pensionary benefits are to be sanctioned and disbursed from the pension fund shall be determined by the Government on the recommendations of the board of trustees.
- (15) The Government shall discharge its pensionary liability by paying in lump sum as a one time payment to the pension fund the pension or service gratuity and retirement gratuity for the service rendered till the date of absorption of the railway servant in the autonomous body.
- (16) The manner of sharing the financial liability on account of payment of pensionary benefits by the autonomous body shall be determined by the Government.
- (17) Lump sum amount of the pension shall be determined in accordance with the Table of the values in Appendix to the Railway Services (Commutation of Pension) Rules, 1993.
- (18) The autonomous body shall make pensionary contribution to the pension fund for the period of service to be rendered by the concerned employees under that body at the rates as may be determined by the Board of Trustees so that the pension fund shall be self-supporting.
- (19) If, for any financial operational reason, the trust is unable to discharge its liabilities fully from the pension fund and the autonomous body is also not in a position to meet the shortfall, the Government shall



be liable to meet such expenditure and such expenditure shall be debited to either the fund or to the autonomous body, as the case may be.

(20) Payments of pensionary benefits of the pensioners of a Railway Department on the date of conversion of it into an autonomous body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government.

(21) Upon conversion of a Department of the Railway into an autonomous body.--

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the autonomous body shall, with the consent of such body, be transferred to the new provident fund account of the employees in such body;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such body;

(c) the dismissal or removal from service of the autonomous body of any employee after his absorption in such body for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Railways and in the event of his dismissal or removal or retrenchment, the decisions of the body shall be subject to review by the Ministry of Railways.

(22) In case the Government disinvests its equity in any autonomous body to the extent of fifty-one per cent. or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such autonomous body.

(23) The safeguards specified under sub-rule(22) shall include option for voluntary retirement or continued service in the body, as the case may be or voluntary retirement benefits on terms applicable to railway employees or employees of the autonomous body as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

11. In rule 56 of the said rules, in clause (ii), in sub clause (a), for the words "seven hundred and fifty rupees", the words "twenty-one thousand rupees" shall be substituted;

12. In rule 64 of the said rules, in sub-rule (3), for the words " three hundred seventy five rupees ", the words " three thousand five hundred rupees " shall be substituted;

13. In rule 65 of the said rules, in sub-rule (2), for the words "three hundred seventy five rupees ", the words" three thousand five hundred rupees" shall be substituted;

be liable to meet such expenditure and such expenditure shall be debited to either the fund or to the autonomous body, as the case may be.

(20) Payments of pensionary benefits of the pensioners of a Railway Department on the date of conversion of it into an autonomous body shall continue to be the responsibility of the Government and the mechanism for sharing its liabilities on this account shall be determined by the Government

(21) Upon conversion of a Department of the Railway into an autonomous body.--

(a) the balance of provident fund standing at the credit of the absorbed employees on the date of their absorption in the autonomous body shall, with the consent of such body, be transferred to the new provident fund account of the employees in such body;

(b) earned leave and half pay leave at the credit of the employees on the date of absorption shall stand transferred to such body;

(c) the dismissal or removal from service of the autonomous body of any employee after his absorption in such body for any subsequent misconduct shall not amount to forfeiture of the retirement benefits for the service rendered under the Railways and in the event of his dismissal or removal or retrenchment, the decisions of the body shall be subject to review by the Ministry of Railways.

(22) In case the Government disinvests its equity in any autonomous body to the extent of fifty-one per cent or more, it shall specify adequate safeguards for protecting the interest of the absorbed employees of such autonomous body.

(23) The safeguards specified under sub-rule(22) shall include option for voluntary retirement or continued service in the body, as the case may be or voluntary retirement benefits on terms applicable to railway employees or employees of the autonomous body as per option of the employees, assured payment of earned pensionary benefits with relaxation in period of qualifying service, as may be decided by the Government."

11. In rule 56 of the said rules, in clause (ii), in sub clause (a), for the words "seven hundred and fifty rupees", the words "twenty-one thousand rupees" shall be substituted;

12. In rule 64 of the said rules, in sub-rule (3), for the words " three hundred seventy five rupees ", the words " three thousand five hundred rupees " shall be substituted;

13. In rule 65 of the said rules, in sub-rule (2), for the words "three hundred seventy five rupees ", the words" three thousand five hundred rupees" shall be substituted;

14. In rule 67 of the said rules, sub-rule (5) shall be omitted;

15. Rule 68 of the said rules shall be omitted;

16. In rule 69 of the said rules,-

(1) after sub - rule (1), the following sub-rule shall be inserted, namely:-

"(1A) The dearness allowance admissible on the date of retirement shall also be treated as emoluments for the purpose of sub-rule (1).";

(2) for sub-rule (2), the following sub-rules shall be substituted, namely:-

"(2) In the case of a railway servant retiring in accordance with the provisions of these rules after completing the qualifying service of not less than ten years, the amount of pension shall be calculated at fifty per cent of emoluments or average emoluments, whichever is more beneficial to him, subject to a minimum of three thousand and five hundred rupees per mensem and a maximum of forty-five thousand rupees per mensem.

(2A) In addition to pension admissible in accordance with the provisions of sub-rule (2), after completion of eighty years of age and above, the additional pension shall be payable to a retired railway servant in the following manner, namely:-

S.No.	Age of pensioner	Additional pension
(1)	(2)	(3)
1.	From 80 years to less than 85 years	20 per cent. of basic pension
2.	From 85 years to less than 90 years	30 per cent. of basic pension
3.	From 90 years to less than 95 years	40 per cent. of basic pension
4.	From 95 years to less than 100 years	50 per cent. of basic pension
5.	100 years or more	100 per cent. of basic pension.";

(3) in sub-rule (4), the words, brackets and letters " clause (a) or clause (b) of " shall be omitted;

17. In rule 70 of the said rules, -

(1) In sub-rule (1), in the first proviso, for the words "rupees one lakh", the words "rupees ten lakh " shall be substituted;

(2) In sub-rule (3), after the proviso, the following proviso shall be inserted, namely:-

"Provided further that the dearness allowance admissible on the date of retirement or death, as the case may be, shall also be treated as emoluments for the purpose of this rule,";

18. In rule 71 of the said rules, in sub-rule (1), in clause (b),-
- (1) in sub-clause (i), for the words, brackets and figures "clauses (i), (ii), (iii) and (iv)", the words, brackets and figures "clauses (i), (ii), (iii), (iv) and (v)" shall be substituted;
- (2) in sub-clause (ii), for the words, brackets and figures "clauses (v), (vi), (vii), (viii), (ix), (x) and (xi)", the words, brackets and figures "clauses (vi), (vii), (viii), (ix), (x) and (xi)" shall be substituted;

19. In rule 75 of the said rules,-

(1) for sub-rule (2), the following sub-rule shall be substituted, namely:-

"(2) Subject to the provisions of sub-rule (18) and without prejudice to the provisions contained in sub-rule (4), where a railway servant dies,

(a) after completion of one year of continuous service; or

(b) before completion of one year of continuous service, provided the deceased railway servant concerned immediately prior to his appointment to the service or post was examined by the appropriate medical authority and declared fit by that authority for railway service; or

(c) after retirement from service and was on the date of death in receipt of a pension, or compassionate allowance, referred to in these rules,

the family of the deceased shall be entitled to family pension (hereinafter in this rule referred to as family pension) under the Family Pension Scheme for Railway Servants, 1964, the amount of which shall be determined at a uniform rate of thirty per cent. of basic pay subject to a minimum of three thousand and five hundred rupees per mensem and a maximum of twenty-seven thousand rupees per mensem.

Explanation. - The expression "one year of continuous service" wherever it occurs in this rule, shall be construed to include less than one year of continuous service, as provided in clause (b).";

(2) after sub-rule (3), the following sub-rule shall be inserted, namely:-

"(3 A) In addition to family pension admissible in accordance with sub rules (2), (3) and (4), after completion of eighty years of age and above, additional family pension shall be payable in the following manner:-

S.No.	Age of pensioner	Additional pension
(1)	(2)	(3)
1.	From 80 years to less than 85 years	20 per cent. of basic pension
2.	From 85 years to less than 90 years	30 per cent. of basic pension
3.	From 90 years to less than 95 years	40 per cent. of basic pension
4.	From 95 years to less than 100 years	50 per cent. of basic pension
5.	100 years or more	100 per cent. of basic pension.*;

(3) in sub-rule (4), for clause (i), the following clause shall be substituted, namely:-

"(i) (a) Where a railway servant, who is not governed by the Employees' Compensation Act, 1923 (8 of 1923), dies while in service after having rendered not less than seven years' continuous service, the rate of family pension payable to the family shall be equal to fifty per cent. of the pay last drawn and the amount so admissible shall be payable from the date following the date of death of the railway servant for a period of ten years.

(b) in the event of death of a railway servant after retirement, the family pension as determined under sub-clause (a) shall be payable for a period of seven years, or for a period up to the date on which the retired deceased railway servant would have attained the age of sixty-seven years had he survived, whichever is less:

Provided that in no case the amount of family pension determined under sub-clause (b) shall exceed the pension authorised on retirement from railway service.

Provided further that where the amount of pension authorised on retirement is less than the amount of family pension admissible under sub-rule (2), the amount of family pension determined under this clause shall be limited to the amount of family pension admissible under sub-rule (2).

Explanation. - For the purpose of this sub-clause, pension authorised on retirement includes the part of the pension which the retired railway servant may have commuted before death.":

(4) for sub-rule (5), the following sub-rule shall be substituted, namely:--

"(5) Where an award under the Railway Services (Extraordinary Pension) Rules, 1993 is admissible, no family pension under this rule shall be authorised during the currency of award.":

(5) for sub-rule (6), the following sub-rule shall be substituted, namely:-

"(6) The period for which family pension is payable shall be as follows:--

(i) subject to first proviso, in the case of a widow or widower, up to the date of death or re-marriage, whichever is earlier;

(ii) subject to second proviso, in the case of an unmarried son, until he attains the age of twenty-five years or until he gets married or until he starts earning his livelihood, whichever is the earliest;

(iii) subject to second and third provisos, in the case of an unmarried or widowed or divorced daughter, until she gets married or remarried or until she starts earning her livelihood, whichever is earlier;

(iv) subject to sub-rule (10 A), in the case of parents, who were wholly dependent on the railway servant immediately before the death of the railway servant, for life;

(v) subject to sub-rule (10 B) and the fourth proviso, in the case of disabled siblings (i.e. brother and sister) who were dependent on the railway servant immediately before the death of railway servant, for life:

Provided that family pension shall continue to be payable to a childless widow on re-marriage, if her income from all other sources is less than the amount of minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon:

Provided further that if the son or daughter of a railway servant 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 a living even after attaining the age of twenty five years, the family pension shall be payable to such son or daughter for life subject to the following conditions, namely :-

(a) if such son or daughter is one among two or more children of the railway servant, the family pension shall be initially payable to the minor children (mentioned in clause (ii) or clause (iii) of this sub-rule) in the order set out in clause (iii) of sub-rule (8) of this rule until the last child attains the age of twenty-five years and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind, including the mentally retarded, or who is physically crippled or disabled and shall be payable to him or her, for life;

(b) if there are more than one such children suffering from disorder or disability of mind including the mentally retarded or who are physically crippled or disabled, the family pension shall be paid in the order of their birth and the younger of them shall get the family pension only after the elder next above him or her ceases to be eligible:

Provided that where the family pension is payable to such twin children it shall be paid in the manner set out in clause (iv) of sub-rule (7) of this rule;

(c) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor except in the case of the physically crippled son or daughter who has attained the age of majority;

(d) before allowing the family pension for life to any such son or daughter, the appointing authority shall satisfy that the handicap is of such a nature so as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a Medical Board comprising of a Medical Director or a Chief Medical Superintendent or incharge of a Zonal Hospital or Division or his nominee as Chairperson and two other members, out of which at least one shall be a specialist in the particular area of mental or physical disability including mental retardation setting out, as far as possible, the exact mental or physical condition of the child;

(e) the person receiving the family pension as guardian of such son or daughter or such son or daughter not receiving the family pension through a guardian shall produce a certificate, from a Medical Board comprising of a Medical Director or a Chief Medical Superintendent or incharge of a Zonal Hospital or Division or his nominee as Chairperson and two other members, out of which at least one shall be a

specialist in the particular area of mental or physical disability including mental retardation, once, if the disability is permanent and if the disability is temporary, once in every five years to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled;

(f) in the case of a mentally retarded son or daughter, the family pension shall be payable to a person nominated by the railway servant or the pensioner, as the case may be, and in case no such nomination has been furnished to the Head of Office by such railway servant or pensioner during his lifetime, to the person nominated by the spouse of such railway servant or family pensioner, as the case may be, later on and the guardianship certificate issued under section 14 of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999 (44 of 1999), by a local level Committee, shall also be accepted for nomination or appointment of guardian for grant of family pension in respect of person(s) suffering from autism, cerebral palsy, mental retardation and multiple disabilities as specified in the said Act:

Provided that the grant or continuance of family pension to an unmarried or widowed or divorced daughter beyond the age of twenty-five years or until she gets married or re-married or until she starts earning her livelihood, whichever is the earliest, shall be subject to the following conditions, namely:-

(a) the family pension shall be initially payable to the minor children (mentioned in clause (ii) or clause (iii) of this sub-rule) in the order set out in clause (ii) of sub-rule (8) of this rule until the last minor child attains the age of twenty-five years; and

(b) there is no disabled child eligible to receive family pension in accordance with the second proviso of this sub-rule:

Provided that 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 this rule in the case of son or daughter of the railway employees or pensioners suffering from any disorder or disability of mind (including mentally retarded) or physically crippled or disabled, so as to render him or her unable to earn a living even after attaining the age of twenty-five years.

Explanation 1.- An unmarried son or an unmarried or widowed or divorced daughter, except a disabled son or daughter become ineligible for family pension under this sub-rule from the date he or she gets married or remarried.

Explanation 2.- The family pension payable to such a son or a daughter or parents or siblings shall be stopped if he or she or they start earning his or her or their livelihood.

Explanation 3.- It shall be the duty of son or daughter or siblings or the guardian to furnish a certificate to the Treasury or Bank, as the case may be, once in a year that, (i) he or she has not started earning his or her livelihood, and (ii) he or she has not yet married or remarried and a similar certificate shall be furnished by a childless widow after her re-marriage or by the disabled son or daughter or parents to the Treasury or

Bank, as the case may be, once in a year that she or he or they have not started earning her or his or their livelihood.

Explanation 4 .- For the purpose of this sub-rule, a member of the family shall be deemed to be earning his or her livelihood if his or her income from other sources is equal to or more than the minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon.

Explanation 5 .- Parent shall be deemed to be dependent on the railway servant if their combined income is less than the minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon.

Explanation 6.- Disabled sibling shall be deemed to be dependent on the railway servant if their income is less than the minimum family pension admissible under sub-rule (2) of this rule and dearness relief thereon.

Explanation 7 .- Family pension payable to a childless widow shall be stopped if, after re-marriage, her income from all other sources becomes equal to or exceeds the amount of minimum family pension under sub-rule (2) of this rule and the dearness relief admissible thereon";

(6) in sub-rule (7), after clause (iii), the following clause shall be inserted, namely:-

"(iv) where the family pension is payable to twin children, it shall be paid to such children in equal shares:

Provided that when one such child ceases to be eligible, his or her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single or twin children as the case may be.";

(7) in sub-rule (8), after clause (i), the following clause shall be inserted, namely:-

"(iii) Family pension to the children shall be payable in the order of their birth and the younger of them will not be eligible for family pension unless the elder next above to him has become ineligible for the grant of family pension:

Provided that where the family pension is payable to twin children, it shall be paid in the manner set out in clause (iv) of sub-rule (7) .";

(8) after sub-rule (10), the following sub-rules shall be inserted, namely:-

"(10 A) (i) The family pension to the parents shall be payable if the parents were wholly dependent on the railway servant immediately before his or her death and the deceased railway servant is not survived by a widow or an eligible child.

(ii) The family pension, wherever admissible to parents, shall be payable to the mother of the deceased railway servant failing which to the father of the deceased railway servant.



(10 B) The family pension to the dependent disabled siblings shall be payable if the siblings were wholly dependent upon the railway servant immediately before his or her death and deceased railway servant is not survived by a widow or an eligible child or eligible parents.”;

(9) in sub-rule 11,

(1) in clause (a), in sub-clauses (i) and (ii) for the words, “ two thousand five hundred rupees”, the words “ forty - five thousand rupees” shall be substituted;

(2) in clause (b), for the words, “ one thousand two hundred fifty rupees”, the words “ twenty seven thousand rupees” shall be substituted;

(10) in sub-rule (13), after clause (i), the following clause shall be inserted, namely:—

“(ii) Subject to the proviso of sub-rule (12), after the child or children cease to be eligible for family pension under this rule, such family pension shall become payable to the surviving judicially separated spouse of the deceased railway servant till his or her death or remarriage, whichever is earlier.”;

(11) in sub-rule (15), in clause (ii), the word 'female' shall be omitted;

(12) sub-rule 17 shall be omitted;

(13) sub-rule 18 shall be omitted;

(14) in sub-rule (19), in clause (b) for sub-clause (iii), the following sub-clauses shall be substituted, namely:-

“(iii) unmarried son who has not attained the age of twenty-five years and unmarried or widowed or divorced daughter, including such son and daughter adopted legally;

(iv) dependent parents;

(v) dependent disabled siblings(i.e. brother or sister) of a railway servants.”;

(15) in sub-rule (20), clause (c) shall be omitted.

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