



दक्षिण रेलवे/SOUTHERN RAILWAY

सं./No.P(R)500/P/Vol.VI

प्रधान कार्यालय/ Headquarters Office
कार्मिक शाखा/ Personnel Branch
चेन्नै/Chennai - 600 003
दि./ Dated: 15-10-2013

आर बी ई सं/RBE No. 99 / 2013

पी बी सी सं/ PBC No: 122 / 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: Eligibility of widowed / divorced daughters for grant of
family pension – clarification regarding.

A copy of Railway Board's letter No.F(E)III/2007/PN1/5 dated 26-09-2013 (RBE No. 99 / 2013) alongwith a copy of OM No. 1/13/09-P&PW(E) dated 11-09-2013 issued by Department of Pension & Pensioners Welfare (DOP&PW)'s on the above subject is enclosed for information, guidance and necessary action.

Railway Board's letter dated 16-03-2005 (RBE No. 44 / 2005) & 20-05-2011 (RBE No. 69 / 2011) referred therein have been circulated under PBC No. 51/ 2005 & PBC No. 77 / 2011 respectively.

(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

RBE No. 99/2013

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

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

New Delhi, Dated: 26.09.2013.

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

Subject: Eligibility of widowed/divorced daughters for grant of family pension- clarification regarding.

A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 1/13/09-P&PW(E) dated 11.09.2013 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Rules 54(6)(iii) and 54(8) of the CCS(Pension) Rules, 1972 referred to therein correspond to Rules 75(6)(iii) and 75(8) of the Railway Services (Pension) Rules, 1993 respectively.

2. A concordance of DOP&PW's instructions referred to in the enclosed O.M. and Railway Board's corresponding instructions is given below :-

S.No.	DOP&PW's instructions	Corresponding instructions of Railway Board
1.	1/19/03-P&PW(E) dated 25/30.08.2004	F(E)III/98/PN1/4 dated 16.03.2005
2.	1/13/09-P&PW(E) dated 28.04.2011	F(E)III/2007/PN1/5 dated 20.05.2011

3. Please acknowledge receipt.

D.A.: One.




(Mrs.SUKHENDER KAUR)
Joint Director Finance (Estt.),
Railway Board.

No. 1/13/09-P&PW (E)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi,
the 11th September, 2013.

OFFICE MEMORANDUM

Sub: Eligibility of widowed/divorced daughters for grant of family pension – clarification regarding.

Provision for grant of family pension to a widowed/divorced daughter beyond the age of 25 years has been made vide OM dated 30.08.2004. This provision has been included in clause (iii) of sub-rule 54 (6) of the CCS (Pension), Rules, 1972. For settlement of old cases, it was clarified, vide OM dated 28.04.2011, that the family pension may be granted to eligible widowed/divorced daughters with effect from 30.08.2004, in case the death of the Govt. Servant/pensioner occurred before this date.

2. This Department has been receiving communications from various Ministries/Departments seeking clarification regarding eligibility of a daughter who became widowed/divorced after the death of the employee/pensioner.

3. As indicated in Rule 54(8) of the CCS (Pension) Rules, 1972, the turn of unmarried children below 25 years of age comes after the death or remarriage of their mother/father, i.e., the pensioner and his/her spouse. Thereafter, the family pension is payable to the disabled children for life and then to the unmarried/widowed/divorced daughters above the age of 25 years.

4. It is clarified that the family pension is payable to the children as they are considered to be dependent on the Government servant/pensioner or his/her spouse. A child who is not earning equal to or more than the sum of minimum family pension and dearness relief thereon is considered to be dependent on his/her parents. Therefore, only those children who are dependent and meet other conditions of eligibility for family pension at the time of death of the Government servant or his/her spouse, whichever is later, are eligible for family pension. If two or more children are eligible for family pension at that time, family pension will be payable to each child on his/her turn provided he/she is still eligible for family pension when the turn comes. Similarly, family pension to a widowed/divorced daughter is payable provided she fulfils all eligibility conditions at the time of death/ineligibility of her parents and on the date her turn to receive family pension comes.

5. As regards opening of old cases, a daughter if eligible, as explained in the preceding paragraph, may be granted family pension with effect from 30th August, 2004. The position is illustrated through an example. Shri A, a pensioner, died in 1986. He was survived by his wife, Smt. B, a son Shri C and a daughter, Kumari D, the daughter being the younger. Kumari D married in 1990 and got widowed in 1996. Smt. B died in 2001. Thereafter, Shri C was getting family pension, being disabled, and died in 2003. Thereafter, the family pension was stopped as Kumari D was not eligible for it at that time. She applied for family pension on the basis of O.M., dated 30th August, 2004. Since she was a widow and had no independent source of income

at the time of death of her mother and on the date her turn came, she may be granted family pension. The family pension will continue only till she remarries or starts earning her livelihood equal to or more than the sum of minimum family pension and dearness relief thereon.

6. This is only a clarification and the entitlement of widowed/divorced daughters would continue to be determined in terms of O.M., dated 25/30th August, 2004, read with O.M., dated 28.4.2011.



(D.K. Solanki)

Under Secretary to the Government of India