



**SOUTHERN RAILWAY**

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

Headquarters Office  
Personnel Branch  
Chennai- 600 003  
Dated: 07-02-2013

**RBE No. 150 / 2012**

**PBC No: 7 / 2013**

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

**Sub: Eligibility of Children from a void or voidable marriage for  
family pension – clarification regarding.**

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A copy of Railway Board's letter F(E)III/2007/PN1/5 dated 14-01-2013 on the  
above subject is appended on the reverse for information, guidance and necessary  
action.

Railway Board's letter dated 14-02-1997 referred therein has been circulated as  
PBC No. 117 / 1997 dated 22-08-1997.

M. \_\_\_\_\_  
(M.SRINIVASALU) 7/2/13

Asst.Personnel Officer / Rules  
for Chief Personnel Officer

Encl: as above

Copy to : The Genl.Secy. SRMU  
The Genl.Secy. DREU  
The Genl.Secy. AISCSTREA  
The Genl.Secy. AIOBCREA

आरबीई सं. 150/2013

भारत सरकार  
रेल मंत्रालय (रेलवे बोर्ड)

सं.एफ (ई)-1111/2007/पीएन 1/5

नई दिल्ली, दिनांक 14.01.2013

महाप्रबंधक/वित्त सलाहकार एवं मुख्य लेखा अधिकारी,  
सभी भारतीय रेलें/उत्पादन इकाइयां  
(डाक सूची के अनुसार)

*Southern Railway, Chennai*

विषय: परिवार पेंशन के लिए अमान्य अथवा अमान्य योग्य विवाह से हुए बच्चों की

पात्रता के संबंध में स्पष्टीकरण।

महाप्रबंधक का कार्यालय  
GENERAL MANAGER'S O

21 JAN 2013

दक्षिण रेलवे/Southern R  
चेन्नै/Chennai-600 0

उपर्युक्त विषय पर पेंशन एवं पेंशनर्स कल्याण विभाग के दिनांक 27.11.2012 के का. जा. सं.1/16/1996-पी एंड पी डब्ल्यू(ई) (यॉल्यूम II) की प्रतिलिपि सूचना एवं अनुपालन के लिए संलग्न है। ये अनुदेश यथोचित परिवर्तनों सहित रेलों पर भी लागू होंगे। इसमें उल्लिखित केन्द्रीय सचिवालय सेवा (पेंशन) नियम, 1972 के नियम 54 (7) (ग) और 54 (8) के अनुरूप क्रमशः रेल सेवा (पेंशन) नियम, 1993 के नियम 75 (7) (iii) और 75 (8) हैं।

2. इसमें उल्लिखित पेंशन एवं पेंशनर्स कल्याण विभाग के दिनांक 02.12.1996 के का. जा. सं.1/16/96-पी एंड पी डब्ल्यू(ई) को बोर्ड के दिनांक 14.02.1997 के पत्र सं. एफ (ई)-1111/97/पीएन 1/3 के तहत परिपत्रित किया गया है।

3. कृपया पावती दें।

*H. K.*  
(सुखेन्द्र कौर)

अनुलग्नक: एक

संयुक्त निदेशक वित्त (स्थापना)  
रेलवे बोर्ड

सं.एफ (ई)-1111/2007/पीएन 1/5

नई दिल्ली, दिनांक 14.01.2013

प्रतिलिपि भारत के उप नियंत्रक एवं महा लेखापरीक्षक (रेलें), कमरा नं.224, रेल भवन,  
नई दिल्ली (40 अतिरिक्त प्रतियों सहित) को प्रेषित

*H. K.*  
कृते वित्त आयुक्त, रेलें

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

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

New Delhi, Dated: 14.01.2013.

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

**Subject: Eligibility of Children from a void or voidable marriage for family pension – clarification regarding.**

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A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 1/16/1996-P&PW(E) (Vol.II) dated 27.11.2012 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Rules 54(7)(C) & 54(8) of the CCS(Pension) Rules, 1972 referred to therein correspond to Rules 75(7)(iii) & 75(8) of the Railway Services ( Pension) Rules, 1993 respectively.

2. DOP&PW's O.M.No.1/16/96-P&PW(E) dated 02.12.1996 mentioned therein has been circulated vide Board's letter No.F(E)III/97/PN1/3 dated 14.02.1997.

3. Please acknowledge receipt.

D.A.: One.

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

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

New Delhi, Dated: 14.01.2013.

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.224, Rail Bhavan, New Delhi (40 spares).

  
for Financial Commissioner/Railways.

**No.1/16/1996-P&PW (E) (vol.II)**  
**Government of India**  
**Ministry of Personnel, P.G. & Pensions**  
**Department of Pension & Pensioners' Welfare**

3<sup>rd</sup> Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi  
Dated: 27<sup>th</sup> November, 2012

**Office Memorandum**

**Sub: Eligibility of children from a void or voidable marriage for family pension – clarification regarding.**

The undersigned is directed to refer to this Department's O.M. No.1/16/96-P&PW(E), dated 2.12.1996 whereby it was clarified that Pensionary benefits will be granted to children of a deceased Government servant/pensioner from void or voidable marriages when their turn comes in accordance with Rule 54(8). It is mentioned in Para 4 of the O.M. that "It may be noted that they will have no claim whatsoever to receive family pension as long as the legally wedded wife is the recipient of the same."

2. The matter has been re-examined in consultation with the Ministry of Law and Justice (Department of Legal Affairs) and Ministry of Finance (Department of Expenditure). It has been decided that in supersession of Para 4 of the O.M., *ibid*, dated 2.12.1996, the share of children from illegally wedded wife in the family pension shall be payable to them in the manner given under sub-rule 7 (c) of Rule 54 of CCS (Pension) Rules, 1972, along with the legally wedded wife.


3. It has also been decided that in past cases, no recovery from the previous beneficiary should be made. On receipt of an application from eligible child/children of the deceased Government employee/pensioner born to an ineligible mother, a decision regarding division or otherwise of family pension may be taken by the competent authority after satisfying himself/herself about veracity of facts and entitlement of the applicant (s).

4. As regards pensioners/family pensioners belonging to the Indian Audit and Accounts Departments, these Orders issue after consultation with the Comptroller and Auditor General of India.

5. This issues with the concurrence of Department of Legal Affairs vide their FTS No. 3036, dated 17.10.2012.

6. This issues with the concurrence of Ministry of Finance, Department of Expenditure vide their I.D. No.530/E.V/2012, dated 23.11.2012.

7. Hindi version will follow.

  
(D.K. Solanki)  
Under Secretary to the Govt. of India  
Tel. No. 24644632

All Ministries/Departments of the Government of India  
O/o The Comptroller & Auditor General of India,  
O/o The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.